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THE HISTORY

OF THE

U.S.

B.

LOCO-FOCO

OR

EQUAL RIGHTS PARTY,

ITS MOVEMENTS, CONVENTIONS AND PROCEEDINGS,

WITH SHORT

CHARACTERISTIC SKETCHES OF ITS PROMINENT MEN.

BY F. BYRDSALL.

"Convince me that a principle is right in the abstract, and I will reduce it to practice if I can."

LEGGETT.

NEW-YORK:

PUBLISHED BY CLEMENT & PACKARD, 180 PEARL STREET.

1842.



## P R E F A C E .

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THE terms Loco-Foco and Loco-Focoism are so frequently used to designate a political party and its principles, without much being definitely known of those to whom they were first applied, that it has become necessary that their history should be written, not only as a work of interest in itself, but also as of some importance to the great party to which those terms have been transferred.

The Author of this little work has been urged, for some years past, to write it, on the ground that no person was so well informed of the movements, principles, and men of the party, as he who was in it from the first, and was its Recording Secretary during nearly all the time of its independent existence. Thus urged, and being, withal, of the opinion that if he did not write it no other Loco-Foco would, and that such a work was necessary to our political literature, he began it in the summer of 1842, and, through many interruptions, completed it by the first of October following.

This little book may be, not inaptly, called the Bible of the Loco-Focos; for it contains their Genesis, their Exodus, their Mosaic law, or declaration of principles,—their eventful history. By such estimable men as Moses Jaques, Pascal B. Smith, James L. Stratton, John M. Ferrier, A. D. Wilson, Robert Townsend, Jun., John Hecker, and many others described in these pages, was the Equal Rights party encouraged to have a deeper love for Christian Democratic principles, to seek more knowledge of them, and to find a more abiding faith in them. If any Loco-

Focos, since the dissolution of the party, have deteriorated in these respects, and do not show forth the living testimony, it is most probably because they are in the midst of less favorable circumstances and associations.

The Loco-Focos had an important mission to fulfil,—“to bring back the Democratic party to the principles upon which it was originally founded,”—and they have, in part, already fulfilled it. These Methodists of Democracy introduced no new doctrines, no new articles, into the true creed; they only revived those heaven-born principles which had been so long trodden under the foot of Monopoly, and forgotten, that they were termed “the new-fangled notions of Loco-Focoism.”

Perhaps some readers may be surprised at the portraiture of Loco-Focoism here presented, so different from that which the Newspaper Press has delineated. But the political presses of the United States are so remarkable for their misrepresentations, that there could scarcely be a greater proof of the near approach of the Millenium, than that their columns were becoming filled with unadulterated truth.

To those plodding critics whose literary tastes are more for the antique than the modern, more for the past than the future, and who are more retrograde than progressive in their views, the subject of the Loco-Foco Revolution may have too much freshness in it, may not be sufficiently stale, and, in all probability, they may consider it too early in the day for its history to be written. But it is, in fact, because the Loco-Focos were the political apostles of the future, and were much in the advance of their cotemporaries, that their history is the more important to the American people, and particularly to the rising generation.

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# HISTORY

OF THE

## LOCO-FOCO OR EQUAL RIGHTS PARTY.

### CHAPTER I.

Introductory—Division in the Democratic Republican Party in the City of New York in 1835, on the subject of Monopolies—Sketches of G. H. Evans and William Leggett—Secret Meetings of the Friends of Equal Rights—Sketches of Prominent Men—Persecution of Leggett—The Johnson Dinner—Movement—Nominations—Monopoly and Anti-Monopoly Tickets—C. G. Ferris—Job Haskell—Leggett's Indisposition—Great Meeting in Tammany Hall, Oct. 29th—Description of the Usages—Rush and Contest for the Chair—Alex. Ming, Jr.—Banners—Inscriptions—Struggle for Ascendancy—Extinguishment of Gas Lights—Loco Foco Lights—and Resolutions.

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It is better to prohibit monopolies in all cases, than to permit them in any.

JEFFERSON.

So peculiarly exciting are the circumstances connected with the rise, progress, and dissolution, of the Loco-Foco or Equal Rights party, of the city of New York, during its eventful life of two years, and so great an effect has that extraordinary movement had upon the Democratic Party of the state and nation, that a faithful history of its conventions, its principles and its deeds, with brief sketches of its active men, will not be uninteresting to the public, nor useless to the future political historian.

It is but the truth to state in this place that the Working Men's Party, which arose in 1828 and dissolved in about two years afterwards, was the progenitor, to some

extent, of the Equal Rights Party. Certain it is, that most of the measures advocated by the former were decidedly popular with the latter, and both were equally hostile to banks and other monopolies. Nevertheless, it was Andrew Jackson, in his contest with the Bank of the United States, who enkindled the highest opposition in that direction, and the enthusiasm which he excited against the National Bank soon extended itself to state banks. Both belonged equally to one system, having privileges of a similar nature, and producing evils upon the community of the same description.

The stirring election of 1834, with the strong pledge against monopolies which the candidates of the Republican Party were required to sign, together with speeches and resolutions of the same character at political meetings, as well as the circumstances previously mentioned, all combined to plant deeply in the minds of that party the seeds of hostility to monopolies. Vigorously and ably were they cultivated by George H. Evans, editor of the *Workingman's Advocate* and the *Man*, and by William Leggett, editor of the *Evening Post*.

*George H. Evans* is still alive, and there lives not a more unpretending incorruptible man. He had offers of money and patronage from an agent of the United States Bank, soon after the *Courier and Enquirer* became its champion; but George was not purchasable, although at that time he was not only poor, but considerably involved. He published an account of the interview which *Silas E. Burrows* had with him, and the offers made to him, which was, we believe, never contradicted. Honest George! we can see him in our mind's eye, in his murky office in Thames street, editor, compiler, printer, &c., of his daily and weekly papers. There was he close at his desk, attending to and contending for all the rights and interests of the working masses of mankind, but neglecting his own rights and interests in money matters. Like all such men, he had his full share of difficulties, and yet he made up his excellent newspaper of well chosen

selections, and with editorial matter of real ability; and he was seldom, if ever, inconsistent. In short, he was so naturally imbued with the spirit of democracy that he brought it to bear on every question he discussed.

*William Leggett* was a man of far more ardent temperament, but utterly immovable by either friend or foe when he believed himself to be in the right. He was decidedly the contrary of those despicable politicians, who, in their regard for expediency, think they have the right to compromise principles. Whatever cause he espoused, he gave his whole heart to it, and expressed his views with a vehement energy that carried his readers along forgetful of time or length. During the greater part of the year 1835, the coming forth of his paper was looked for daily with the most eager desire; for it was well known that no functionary however high, no party however strong, no editor however subtle, could escape the deep-toned thunder of his invective for their misdeeds, and therefore all were anxious to learn, as the paper came from the press, upon whom or what the bolt had fallen. He was truly the very Jove of editors, and all the fraternity stood in awe of him. It was only when sustained by party that they dared to enter the lists against him.

Thus, the Workingman's Party, the measures they contended for, the writings of G. H. Evans, the course of Andrew Jackson in relation to the monster monopoly, the resolutions passed at Republican meetings, the pledge against monopolies, the eloquent expositions of Leggett, with the visible fact that the sovereignty of the people over the legislature had passed into the hands of chartered institutions—all these, and other circumstances, contributed to excite hostility against chartered monopolies and the politicians who sustained them. Consequently, the Republican Party became divided within itself. On the one side were the Albany Argus and the New York Times, with those whom the latter affectionately styled "the oldest and wisest of the party," together with a majority in each of the General and in most of the Ward



committees, and nearly all the office-holders under the general, state, and city administrations. On the other side, were the Evening Post and the Man, with the free trade, anti-monopoly, hard-money men.

But as the latter division was, as yet, the smallest portion of the party, it had to exercise secrecy and caution in its first movements. The despotism of the Republican Party, with its aristocratic usages and organization, was so energetic and pervading in those days, that it required both moral and physical courage to openly attack an established dynasty of monopolies, with its vassal office-holders and political committees. Besides, it was held as an indisputable truth, that nothing could justify a disorganizer, and that he who attempted for any cause whatever to disturb the harmony of the party, was a monster to be shunned and hated by every true democrat.

With the fear of this party despotism before their eyes, the friends of Equal Rights deemed it most advisable to privately consult and select delegates from most of the Wards, to meet in secret convention, and not more than twice in succession in the same place. The Broadway House, the Constitutional Hall in Broadway, the Fourteenth Ward Hotel, and the Military and Civic Hotel in the Bowery, were the places of meeting of the body of the Convention, while Garret Gilbert's house, and George W. Mc'Pherson's were used for meetings of the elite, and the offices of Dr. Philip E. Milledoler and Havens and Moore, were dedicated to caucus meetings.

We shall now give a list of the prominent men whom Leggett imbued with his "agrarian spirit of anti-monopoly." They might be called his disciples, for none of them had qualifications to *lead* the Equal Rights Democracy.

*Philip E. Milledoler*, chairman of the young men's General Committee at Tammany Hall, was a disappointed man, and sufficiently malcontent to have led on a revolution, but for his constitutional timidity. *Garrett Gilbert*, was also a malcontent, and the burden of most of his

speeches was, "Go it my boys, against the old hunkers of Tammany Hall, who go up the back stairs." At the select meetings at his house, he was regaled with being toasted as "our next mayor." *Barnabas Bates*,—a man of considerable politico-literary ability, always gentle, and always self-sustained, the very model of political propriety. *John Alwaise*—another gentlespirit favorable to the next mayoralty of Mr. Gilbert. *Charles G. Havens* and *Charles B. Moore*, who had caught with youthful susceptibility a scintillation from Leggett's enthusiasm. *Wm. F. Piatt*, a man of general abilities, but of such a political idiosyncrasy, as predisposes him to catch the infection of every movement professing reform. *John W. Vethake*, a man not calculated to be popular, but of a very philosophic mind, and fertile in what are called "abstractions" in religion, politics and social organization. *John Windt*, an ultra anti-monopolist, who would indeed do justice to the Banks, though the whole credit system should fall. No man has made more efforts as an individual in behalf of what he considers the Equal Rights of humanity. *Allen M. Sniffen*, superintendent of lamps and gas, was peculiarly timid on account of his office. *Alexander Ming, jr*, was also an office-holder with a large family, but his open independence notwithstanding, formed a noble contrast to the cautiousness of Sniffen. Ming had more of the onward self-risking spirit, necessary to a popular leader, than any of the anti-monopolists; and the reader will find that when the first mighty struggle came, he naturally got into that position. *Henry E. Riell*, also an office-holder, but an active anti-monopolist notwithstanding. *Jacob D. Clute* was a member of the Old Men's, and *George W. McPherson* of the Young Men's General Committee, where each stood firm to the cause of Equality of Rights, and voted like good and true men in behalf of the Evening Post. *Benson Milledoler*, *Rodney S. Church*, *John Commerford*, *John A. Riell*, and *Nathaniel Smith*, were all known in the anti-monopoly movement of 1835.



While secret meetings were being held by the Equal Rights Democracy—while it was a deplorable fact of the times, that citizens felt it at all necessary to meet by stealth, for the sake of their simple Constitutional Rights; while numbers were so overawed by the monopoly dynasty that governed, that they dared not meet even secretly, one man with more of the divinity within him, than any man of his era, stood forth almost alone, undaunted by all the terrorism of the monopoly system. With all the gallantry of ancient chivalry, he counted not the personal cost to himself, but openly attacked monopoly of every kind, and exposed and beat down the sophistries and subterfuges of the Albany Argus, the New York Times, and the prostituted press of both parties. The Washington Globe beheld the extremity of its political associates, and came to their rescue, in the most effective manner. Leggett published in the Evening Post of the 19th of Sept. 1835, an extract from the Globe, which he justly designated as his ex-communication from the Republican Party. It is inserted here, that the reader may comprehend the horrid despotism of party, under the régime of monopoly.

“The Evening Post has on various occasions shown a disposition to fly off from the Democratic Party, by running into extremes. Upon the Tariff it knew no medium. It was for free trade, without reference to the policy of other nations. In regard to Banks, no account was to be taken of the actual condition of things in the country, but a universal and immediate annihilation, was the tendency of all the Post’s arguments. The spirit of Agrarianism was perceivable in all the political views of the Editor, and seemed as if he was inclined to legislate altogether upon abstractions, and allow the business of the world and the state of society to have nothing to do with it. This Utopian temper in the Post was perpetually running its editor’s head against a post—some established landmark set up by the experience and good sense of the people to designate the different interests among us, and the principles by which they were to be protected. In its warfare upon the settled principles of Democracy, the Post has ever and anon found itself at loggerheads with the organs



which have long been accustomed to reflect the public sentiment. The Richmond Enquirer, the Albany Argus, and other standard republican prints, have been successively the objects of its attack. Finally, the Post, as if eager to break with the party to which it has assumed to be devoted, has assailed the Secretary of the Treasury, the Secretary of the Navy, and the Post-Master General. All this might possibly be set down to individual caprice—a sort of innocent ostentation by way of displaying the independence of the editor. But he has at last, *and we are glad of it*, taken a stand *which must forever separate him from the Democratic Party*. His journal now openly and systematically encourages the Abolitionists.”

Thus, from head-quarters was the ban of ex-communication fulminated, and the hint was clearly given upon what plea the ban could be extended throughout the empire of the party. Accordingly, on the tenth of October, the Old Men’s General Committee adopted the plea and echoed the ex-communication. But as regarded Leggett’s abolitionism, could not the “oldest and wisest of the party” also respond with the Globe “*we are glad of it too?*” It is certain, that they had much more cause of dislike and fear of his “agrarian spirit” in regard to Banks, than to abolitionism. The first was near at hand and portentous to themselves, the latter remote and dangerous only to those at a distance.

In the mean time the rank and file of the Equal Rights Democracy, gave evidence of increase of numbers, and at length the necessity of some eclat began to be felt by the leaders, in order to increase political capital. With this view, the expedient of setting up a dinner in honor of R. M. Johnson, was adopted as a master piece of policy. We shall say nothing of the tremendous importance of the arrangements by caucus, nor of “our next mayor’s” claims of being the presiding officer. A mayor in possession was preferred to a mayor in expectancy, and C. W. Lawrence was chosen President, and “our next mayor” first Vice President. The dinner went off admirably, the regular toasts were as cautiously couched as

P. E. Milledoler could find language, without any of the shocking words of the anti-monopoly vocabulary. But, two of the regular toasts made a noiseless cautious approach. One, "*the Right of Instruction*," might possibly have been intended to include the right of pledging against monopolies, as had been done the previous election. Another, the "*Liberty of the Press*," might have included the liberty taken by the Evening Post, but it did not say so exactly. However, Theophilus Fisk, John Windt and M. Jaques, with their irregular toasts, made up for the circuitous approaches of the regulars. Fisk went directly at "*Banks, Banking and paper money, labor saving machines by which drones are enabled to grow rich without honest industry*." Windt threw in his "*Equal Rights ; no good Democrat will ask for more, and no true Democrat will be satisfied with less*." These were followed by Jaques' toast, "*the Rights of Man*," with the Jeffersonian doctrine added thereto. These men bearded the Lion of monopoly in his den at Tammany Hall ; the "Agrarian spirit of anti-monopoly" was naturally in them, and it would have utterance.

C. C. Cambreleng made an excellent speech, not only going the right of instruction in the usual acceptance, but also the right of pledging candidates. The Johnson dinner was quite satisfactory to the anti-monopoly democracy.

About this time, a pamphlet was published entitled the "Doctrine of anti-monopoly, in an address to the Democracy of the city of New York." Its author, John W. Vethake, evinced considerable originality both in the mode of viewing and explaining the subject. This address was stereotyped—printed also in the Evening Post, and extensively circulated. Thenceforward the meetings of the Equal Rights Democracy became more open, more crowded and more exciting. In short, the tendency towards that most horrid of party horrors, designated by one little word, "a split," became every day more evident.

The monopoly democracy, according to the "known

usages" of the Republican Party, held its Ward meetings to elect delegates for the Nominating Committee at Tammany Hall. At these Ward meetings it was decided by clear majorities, not to pledge the candidates for Congress and the Legislature of the State, as had been done the previous year, against monopolies. Thus instructed, the delegates met according to usage, and in the last week of October completed the ticket as follows.

<i>For Congress,</i>	Gideon Lee.
<i>For Senator,</i>	Henry F. Jones.

*For Assembly.*

Prosper M. Wetmore,	Benjamin Ringgold,
Charles P. Clinch,	Francis B. Cutting,
Thomas Herttell,	John I. Morgan,
George Sharpe,	Peter A. Cowdrey,
Ezra S. Conner,	George Seaman,
	Jesse West.

The indications were now sufficiently plain that the Republican Party had become a monopoly aristocratic party. It became obligatory on the Equal Rights Democrats to stand by their great leading principle, or to abandon it altogether. To go the whole length either way, was not agreeable to the majority of the prominent men, who were not distinguished for great decision of character;—but to go nearly half way, was to hit the medium point which medium men strive to arrive at. Accordingly, the ticket of the monopoly Republican Party was duly taken into consideration, and, at meetings of the Equal Rights Democracy, it was concluded on to strike off five of the candidates, viz: Lee, Ringgold, Sharpe, West and Conner, and to attend the General County meeting at Tammany Hall and substitute the following in their stead, viz: Charles G. Ferris, *for Congress*, and Job Haskell, John W. Vethake, Rodney S. Church, and John Windt *for Assembly*.

*Charles G. Ferris*, nominated for Congress by the Equal Rights Democracy, had been member of Congress the preceding year, having been elected to fill the vacancy occasioned by the election of C. W. Lawrence to the Mayoralty of the city of New York. *Mr. Ferris*, while in Congress, had given satisfaction to his constituents, but he was dropped by the leading men of the Republican Party, because Gideon Lee was a greater favorite and more in their confidence : in fact, he was one of the head men of the leading department of the old regime itself. *Mr. Ferris* is a man of kind unostentatious manners, of good abilities, but rather indolent in the use of them. He is naturally a Democrat in his intercourse with men, and above all, he has one virtue not too common among politicians, a sincere regard for truth and for his engagements.

*Job Haskell* had been a member of the house of Assembly for the session of 1835, and voted more strictly to the pledge he signed, than any of his colleagues from the city. Many a time during the session, was he in the glorious minority of exactly *one*. But he adhered with the inflexibility of hardened steel to his pledge, both to the letter and the spirit of it. Honest Job ! He had served his country in the last war, and did not he love to talk of fighting the British ? Besides, his speeches gave evidence of his reading in military lore, and of his estimation of Generals Hannibal, Scipio, Alexander, Cesar, Bonaparte, Washington, Jackson and Harrison.

The memorable 29th of October, 1835, was drawing near, yet the encampments of the two democracies, that of monopoly, and that of Equal Rights, appeared to be undisturbed. But where was he, the fearless knight errant of humanity ?—Where was William Legett, the herald of truth ? He had been beset on all sides, until the over-tasked man was exhausted by super-human exertion and he lay prostrate on the bed of disease. The Evening Post was bereft of the mighty spirit which gave it power over men's minds, and it seemed as if the sun was standing



still in the political world. So deep and intense was the interest felt by the friends of Equal Rights in behalf of the champion of the cause, that it threw an aspect of solemnity over their councils, which perhaps induced more caution in their preparations, and the more necessity for reliance on themselves in the approaching contest. Even the scheme of going to the county meeting at Tammany Hall with Loco Foco matches, and candles, which in other circumstances would have excited merriment, was resolved on in serious earnestness of mind and somewhat of solemn mystery.

At length the evening of the 29th October is come, on which the Democratic Republican Electors of the city of New York are to assemble in Tammany Hall, to decide on the nominations of their agents, into whose hands they have foolishly confided their political right of conscience, as regards the right of suffrage. There is a dense throng collecting in front of the hall, and the leading passage and great stair way to the large room, is crowded to a perfect jam, as if human beings were wedged together and bound fast. Already those at the head of the stairs, hear the tramp of persons in the room. How comes that? Know you not, questioner, that there are back stairs, and that up those back stairs the caucussed officers with the caucussed proceedings, (for the democracy must not be left to do its duty to itself), have ascended into the room? But in order that you may have a clear knowledge of the mode of doing business under the regime of the time honored usages in times gone by, the following is quoted from a sagacious politician.\*

“On every political occasion, a caucus composed of the *“oldest and wisest”* is convened in anticipation of any announcement to the people. These obliging and immaculate sages, with the most paternal and disinterested motives, consult and exchange opinions with each other on the course necessary to be pursued for the good

\* Democrat, Sept. 5th, 1836.

of the whole. Once decided upon, the wires are put in motion. If in New York, the Tammany Society, a secret and select one by the by, commences its operations; the Ward leaders have a private interview, and decide upon the chairman, the secretary and the retiring committee; the office-holders receive their instructions to be present with their dependents, and a call is finally published for the independent Democratic Republican electors to meet and transact the business. On the allotted evening the people assemble; the *trained* troops, punctual to the minute, nominate and elect the officers; the *trained* chairman cannot hear any names but those of the *trained* committee; who in turn make a *trained* report; the *trained* secretary is ordered to publish the *trained* proceedings in the official *trained* newspapers, and the *untrained* people are then permitted to go home."

So much for the Ward meetings; we shall quote from the same author on county meetings.

"Everything being arranged, the sovereign people are again called upon to approve or disapprove the acts of their nominating (appointing) committee. At the hour named, the doors of the great room are opened from the inside, to the congregated hundreds on the outside;—when lo! the actors by some secret passage are already on the stage and perfect in their parts. Order being partially obtained, the tickets are read, the vote is taken and declared in the affirmative; the farce is over, the meeting is adjourned, and the "regular ticket" is announced next day to those who always submit to the majority, and never vote any other."

*The clock has just struck seven*, and the doors of Tammany Hall are opening for the democracy. What a mass of human beings rush forward into the room! Yet they are late, for *George D. Strong*,\* who came up the back stairs, has already nominated *Isaac L. Varian*,† who also ascended by the same way, for the chair, and the latter

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\* President of Commercial Bank. † A Bank Director.

is hastening towards it before the question is heard by a fifth part of the crowd. *Joel Curtis* is nominated as the room is filling up, and the loud "aye" of the Equal Rights Democracy calls him to the chair. The honest workingman approaches it, and now begins the contest between monopoly and its opponents. There is a struggle of gladiators on the platform around the chair;—the loudest vociferations are heard, and Tammany trembles with intestine war. The contest at length becomes more furious; men are struggling with each other as if for empire, while the multitude in the body of the room are like the waves of a tempestuous sea. But who is he, that man of slender form and youthful appearance, the foremost in the struggle? Equal Rights men, your chief should be a man of stalwart frame; but there is hope, for your cause is good, and the indomitable spirit of equality is in that slender man. "Cheers for Ming!"—What! is that the office-holder? He who is always up with every rising of the people? *He* openly dares the majesty of monopoly, even in its temple;—*he* disregards the tenure of his office, for the elevating principle of Equality of Rights—the honest war-cry of "opposition to all monopolies" have aroused the democratic enthusiasm of his heart, and he counts not the cost. It is so!—he is unconsciously, for the occasion, and the time being, the natural hero of humanity, striving with all his energy of character to place Joel Curtis in the chair, as the representative of the masses. Unquestionably it is a contest for empire between man and monopoly.

Behold! a broad banner is spread before the eyes of the vast assemblage, and all can read its inscription: "*Joel Curtis, the Anti-Monopolist chairman.*"

The efforts of Isaac L. Varian and the monopoly democracy are futile to obtain order, or to read their ticket of nominations so as to be heard, or any decision had thereon. They are struck with amazement at the sight of another banner with the inscription "*Anti-Monopolist*"

*Democrats are opposed to Gideon Lee,\* Ringgold, West, and Conner ;†*” and another with “*We go all gold but Ringgold.*” What a desecration of the usages !

But behold—there is the broadest banner of all, and it is greeted with cheers. It is the whole of the anti-monopoly ticket for Congress and the Legislature, so that all can see and read where none can distinctly hear. The shouts of the Equal Rights’ Democracy are still more deafening. But heartfelt cheers are given to that banner which declares for Leggett : “*The Times must change ere we desert our Post.*”

The struggle is drawing towards a close. Isaac L. Varian believes the evidence presented to his senses, and in attempting to leave the chair, to which he is forcibly held down by George D. Strong and a member of the Common Council since dead, he exclaims, “Let me get out, gentlemen, we are in the minority here !” They held him fast ;—but there ! the chair is upset, and Isaac L. Varian is thrown from it. Instantly Joel Curtis, the true-hearted workingman is in it, both by right and fact, while two banners speak to the democracy, “Don’t adjourn”—“Sustain the chair.” There is clapping of hands and triumphant cheers. What can the discomfited do ?

They have done it. When they got down stairs they turned off the gas. It is half-past seven, and the darkness of midnight is in Tammany Hall. Nothing but the demon spirit of monopoly, in its war upon humanity, could have been wicked enough to involve such an excited throng in total darkness.

“*Let there be light, and there is light !*” A host of fire-fly lights are in the room—loco-foco matches are ignited, candles are lit, and they are held up by living and breathing chandeliers. It is a glorious illumination ! There are loud and long plaudits and huzzas, such as Tammany never before echoed from its foundations.

\* President of Leather Manufacturers’ Bank. † Bank partizans.



Reader, if this were not a victory over Monopoly, a blow, at least, was struck upon the hydra-headed monster, from which it never recovered.

The anti-monopoly ticket was enthusiastically adopted by the apparently undiminished multitude. Resolutions of the same character were passed, from which we select the following :

*“Resolved—That, in a free state, all distinctions but those of merit are odious and oppressive, and ought to be discouraged by a people jealous of their liberties.*

*“Resolved—That all laws which directly or indirectly infringe the free exercise and enjoyment of equal rights and privileges by the great body of the people, are odious, unjust, and unconstitutional in their nature and effect, and ought to be abolished.*

*“Resolved—For all amounts of money, gold and silver are the only legitimate, substantial, and proper, circulating medium of our country.*

*“Resolved—That perpetuities and monopolies are offensive to freedom, contrary to the genius and spirit of a free state and the principles of commerce, and ought not to be allowed.*

*“Resolved—That we are in favor of a strict construction of the Constitution of the United States, and we are therefore opposed to the United States Bank, as being unconstitutional and opposed to the genius and spirit of our democratic institutions, and subversive of the great and fundamental principles of equal rights and privileges, asserted in the charter of our liberties.*

*“Resolved—That we are opposed to all bank charters granted by individual states, because we believe them founded on, and as giving an impulse to principles of speculation and gambling, at war with good morals and just and equal government, and calculated to build up and strengthen in our country the odious distribution of wealth and power against merit and equal rights; and every good citizen is bound to war against them as he values the blessings of free government.*

*“Resolved—That we receive the Evening Post with open arms to the bosom of the Democratic family, and that the efforts of its talented editors must and shall receive our uncompromising support.”*

The other resolutions were in favor of the policy of Andrew Jackson's administration—Of giving the election of President and Vice President to the direct vote of the people—Of the one presidential term—Short terms of all offices, and strict responsibility to the people—The right of instruction—The Baltimore Convention nominations, and the anti-monopoly ticket, headed C. G. Ferris for Congress, and Thomas Herttell for Assembly.

“After the adoption of the resolutions, a motion was carried that the meeting adjourn to the street, in front of the Hall, and form a procession, with their anti-monopoly banners, flags, &c. This was accordingly done, and some thousands of the meeting, bearing torches, candles, &c., marched up the Bowery, cheering their democratic fellow-citizens on the way, and halted in front of the Military and Civic Hotel, corner of Broome Street; and after giving nine hearty cheers, adjourned to their respective homes.”

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## CHAPTER II.

The Whig Press—The anti-Monopolists are called Loco-Focos—Abusive epithets of the New York Times—Party discipline—Edict of the Sachems—Young Men’s General Committee—Votes on Evening Post and Anti-Monopoly ticket—Old Men’s General Committee—Remarks—Leggett’s insanity—Reflections on his bust in Tammany Hall—Result of General Election—Defections—Meeting of anti-Monopolists—Proceedings—Convention—Barnabas Bates—Separate organization and compromise—Result of Committee elections—Resolutions of independence of Tammany—County Convention—Plan of separate organization—Proceedings and Resolutions—Declaration of principles, and sketch of Moses Jaques.

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The present may be truly said to be a time that tries men’s principles.

M. JAQUES.

THE morning of the 30th of October, 1835, was a joyous one to the readers of the Whig press in the city. Descriptions, both grave and ridiculous, were given of the scene of the previous evening in Tammany Hall, and great were the exultations over the divisions in the ranks of the Democracy. The Courier and Enquirer took the lead in this labor of love, and bedubbed the anti-monopolists with the name of Loco-Focos. But the Whig press, true to its natural dislike of real democracy, took sides with the monopolists; at least so far as to abuse the

friends of Equal Rights without stint or conscience. On the other side, the New York Times, the cherished organ of the oldest and wisest of the monopoly Democracy, lifts up its voice in mingled tones of shame, chagrin, and denunciation. Thenceforward it poured its fountains of wrath—of bile and bitterness—upon the Evening Post, Charles G. Ferris, Alexander Ming, Jr., John W. Vethake, Job Haskell, Henry E. Riell, Rodney S. Church, and John Windt. But this was not all; for it undertook the Herculean task of castigating the whole of the Equal Rights democracy. That the reader may be enabled to form some idea of the glorious feats of this protege of the “thirty-six fathers,” its epithets are extracted, leaving the imagination to supply the context, which was equally classic, moral and instructive. “*Disorganizers*”—“*Intruders*”—“*Revolters*”—“*Agrarians*”—“*Working Men’s faction*”—“*Rowdies*”—“*Odds and ends of extinct party*”—“*Eleventh hour Democrats*”—“*Sweepings and remnants of all recent factions*”—“*Renegade anti-Masons*”—“*Pests of party*”—“*Bad factionists*”—“*Fanny Wright Men*”—“*Noisy Brawlers*”—“*Political nuisances*”—“*Loco Foco party*”—“*Carbonari*”—“*Infidels*”—“*Pledge spouters*”—“*Resolution mongers*”—“*Small fry of small politicians*”—“*Small lights*”—“*Fire flies of faction*”—“*Unclean Birds*”—“*Jack o’ Lanterns who shine in an unhealthy atmosphere*”—“*Noisy discontented politicians*”—“*Scum of politics*”—“*Knaves*”—“*Political cheats and swindlers*”—“*The Guy Fawkes’ of politics*”!!!

Such was the language of the organ of the aristocracy of the Democracy. In fact such contemptuous terms can only proceed from the sentiment of aristocracy. He who cherishes the principle of equality, has no ideas to generate such terms of contempt for his fellow-men.

Meanwhile the leaders of the Monopoly Democracy went energetically to work, as there was no time to spare, and the discipline of “the party” organization was at once enforced. In the first place, the name of

Isaac L. Varian was published to nominations which had *not* been adopted by the majority present, and to resolutions which had *not* been carried; yet he suffered these matters to go forth to the world without contradiction !!!\* In the next place, the Sachems of the Tammany Society published their mendacious edict declaring that the ticket headed Gideon Lee for Congress, was the regularly nominated ticket, and the Assembly ticket headed John I. Morgan, was of the same authority; and that those tickets only would be permitted to be distributed at Tammany Hall during the election.

How the Democratic Republican Party can suffer to nestle within its very midst, a secret political society, a nursery of office seekers, to dictate upon any matter of importance, or to declare who are, or who are not the proper candidates of the party, is truly astonishing!

The third movement called the Young Men's General Committee together, for it was in this body that Leggett's "agrarian spirit of anti-monopoly" had made some inroads. Therefore, in order to enforce discipline and subordination, the following resolution was offered by Dr. William Rockwell.†

*Resolved*—That the Democratic Republican Young Men's General Committee no longer recognize the Evening Post as one of the organs of the Republican Party, and that in future, no notices emanating from this Committee, be published in that paper.

*Affirmative.* Robert Smith, Jacob T. Kent, John W. Hyatt, S. Townsend Lawrence, Abraham Van Ness, Alfred S. Frazier, Philip S. Crooke, Stephen Paret, Cornelius H. Bryson, A. J. Bleecker, Abraham Lefoy, John

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\* Aristocracy ever gratefully remembers those who make personal sacrifices to its interest. Isaac L. Varian was a competitor with William Leggett in 1838, for nomination as candidate for Congress, and he triumphed over Leggett! This was not all, for he was raised to the dignity of Mayor of the city of New York, and he is now Senator of the State!!!

† Dr. Rockwell was afterwards made Health Officer, worth \$10,000 dollars a year.



A. Morrill, Thomas A. Brady, John McKinley, Wm. Rockwell, Wm. M. Fish, John J. Bedient, James H. Rogers, Leonard Lee, Thomas Lloyd, James McMillen, L. P. Jordan, Charles B. Tappan, Joseph Isaacs, David M. Cowdrey, Eber Wheaton, Paschal Bertine, Francis B. Fitch, John M. Wheeler, Wm. M. Summers, Wm. J. Brown, Thomas Dolan, John Crygier, James A. M. Gardner, Jesse Cady, Charles J. Dodge, Richard H. Colfax.

*Negative.* Charles B. Moore, Henry E. Riell, P. E. Milledoler, G. W. McPherson, Charles Taylor, E. G. Sweet, H. S. Meeks, Nathan Darling.

Another test resolution was offered, that the tickets headed Gideon Lee and John I. Morgan were the regularly nominated. To this there were only four negatives, Riell, McPherson, Taylor and Sweet.

The Old Men's General Committee endorsed the same nominations, and the Ward Committees and meetings followed in the rear. Party attachments were appealed to, the ligatures of self-interest were drawn tight, and fears of extrusion from the party were awakened. Many of the anti-monopolists began to lose a portion of their enthusiasm for principle, when brought in conflict with party attachments. Others flattered themselves that they were in the advance of their fellow-citizens, and that they had better remain quiet in the Monopoly Democracy until it became as far advanced and enlightened as themselves. In short, the fate of Mr. Leggett was a warning to all Reformers not to set themselves against "the party." He was denounced by nearly all the Democratic press, and considered by most of the old and sensible men in the party, as in a state of insanity, for no sane man would go to such extremes as he did. The leading men—the majority in every committee—the majority of the party, had declared themselves against him, and he was confined by severe indisposition and not expected to live.

Reader! were you to go into the General Committee

room in Tammany Hall at this period of time, 1842, you would see a handsome cast in plaister of Paris, the bust of William Leggett, gracing the very room where he was denounced seven years ago. Would you moralize upon changes in politics, and upon that class of men the most changeable, politicians, here is "ample space and verge enough." The very insanity imputed to him—the "agrarian spirit of anti-monopoly" for which he was persecuted unto the death, now pervades the party which persecuted him. The committee—the leaders—the Globe—the Argus—all, all are now in his condition of insanity, thoroughly imbued with his "agrarian spirit of anti-monopoly." But it is only politicians who "play such fantastic tricks before high heaven."

The general election of 1835, resulted in the success of the monopoly ticket of Lee for Congress, and the entire ticket headed Morgan for the Assembly; consequently, the Whig ticket, as well as the Anti-monopoly ticket, was defeated. This result, with the enforcements of party discipline already mentioned, caused numerous defections from the Equal Rights Democracy. Even some of those who undertook to lead the whirlwind and direct the storm, but who were not possessed of heroism to do so, now ingloriously deserted, went back to Tammany as noiselessly as possible, and left the storm of anti-monopoly to take care of itself.

The vote given to Charles G. Ferris, the anti-monopoly candidate for Congress, was over four thousand. Monopoly triumphed in the election, but its opponents were not subdued. A meeting was held on the 12th November to collect their force and determine their future action. Nathaniel Smith presided, assisted by two vice presidents and two secretaries. This meeting was large; from its proceedings the following selections are given:

*"Resolved*—That we recommend that assemblies of Democrats opposed to monopolies and special legislation, be formed in each ward of this city, of such persons as may be willing to enroll themselves for that purpose; and that such assemblies shall meet in their several wards, on the first Monday in each month.

*“Resolved*—that the several ward assemblies be requested to convene in a general meeting on the second Monday in every month, &c.

*“Your committee in introducing the above resolutions do not intend to institute a new party, but to form a union with those of their fellow-citizens whose political principles are truly Democratic, and in accordance with those of Thomas Jefferson, Andrew Jackson, and the friends of the present administration, but particularly with those who are opposed to monopolies.”*

The following resolution in relation to Mr. Leggett is strongly expressed :

*Resolved*—that the course pursued by the majority of the Old and Young Men’s General Committee, in proscribing the Evening Post, excites in us emotions of unutterable contempt and indignation, and that the dastardly conduct of the Young Men’s Committee, in assailing that paper, when its powerful and talented editor was prostrated by sickness, is unparalleled for its meanness and cowardice, and deserves the solemn condemnation of every friend of the liberty of speech and of the press.”

The following announcement appeared in the Evening Post, November 20th :

*“Mr. Leggett being entirely out of danger, and gradually, but surely convalescent, the temporary arrangement made as to the editorial department of this journal is, from and after this date, discontinued.”*

He did not, however, resume his labors until the 9th December.

But, notwithstanding the disclaimer of instituting a new party by the committee of the meeting on the 12th November, yet many of the Equal Rights Democracy were in favor of such a step. The ultraists in the rank and file, were not only opposed to the political course of “the party” in sustaining monopolies, but they were also hostile to that system of management called the “usages of the party,” with its general and nominating committees, and they were desirous of a more popular mode of nominating candidates for the suffrage of the people. They saw, that the Tammany Society, with many of its members holding office—the General Committees and the Nominating Committees—all in connection, constituted a “regular” system of machinery, which, while it regu-

lated and directed the movements of the Democracy, was nevertheless governed by aristocratic or incorporated influences behind the throne, greater than the sovereignty itself. Besides these radical objections to the usages, the Ultra Democrats were taunted by the supporters of Monopoly ; " You can't prevail against Old Tammany ;" " We are glad we have got rid of you, and we don't want you to come back to us ;" " It was an evil day when the Workingman's faction was allowed to join us ;" " We rejoice that we are now fully relieved from the connection ;" " The party could not prosper until such intruders were expelled and our ancient usages restored to their proper and wonted authority." " Old fashioned Democrats do not want Loco-Focos among them with new-fangled notions of Democracy ;" " We don't want Agrarians in our ranks,—men, who because they have nothing, want to divide other people's property, and to break down those institutions to which we are indebted for all our unexampled prosperity."

To the honest and true men engaged in the anti-monopoly movement, or revolt, it was out of the question to stand still, or to return to Tammany Republicanism under such circumstances of subjection and insult. Something must be done, for it was clear their course was onward—how could it be otherwise ? A body of delegates met from most of the wards, by tacit consent, to take their future course into consideration. Matters were talked over without coming to any conclusion, save the appointment of a committee to draft a report for the next meeting. When the latter meeting was held, F. Byrdsall, of the committee, submitted a plan of separate organization, but Barnabas Bates objected to it on the ground of its containing " too much creed." The report, or rather the subject it related to, was very faintly discussed, for there was evidently an abatement of enthusiasm. Probably this arose from the fact that William Leggett was opposed to a separate organization of the Equal Rights Democracy. The leaders could not go



forward in that direction, without encountering difficulty, neither could they go back to the monopoly ranks and be received into full communion, without abandoning the principle for which they had declared; and to dissolve their party would expose each one singly to the persecution of Tammany, and none of them wished the fate of Leggett. Every way, their political prospects were gloomy, and every consideration in their minds produced deeper perplexity. The impress of anxiety was on the faces of most of the delegates; but at length, as is usually the case with politicians in difficult dilemmas, the portion for a separate organization and the portion against it, came to a compromise.

Compromise! Beautiful and inspiring spirit of American politicians, thou art the great safety-valve of politics. Compromise! Proteus of old was an unchanging Pyramid of Egypt, compared to such a many-colored rainbow as thou art. Compromise! Our politicians not only worship thee as a goddess, but they make thee an altar upon which they sacrifice principle.

The compromise agreed upon in the present case, was simply a contingency, *That if the General Committees to be elected in December, should be composed of a majority of monopoly democrats, the anti-monopolists then would form a separate organization.*

There were but two persons in this convention avowedly in favor of separate organization. Some of the members had too much of the policy and tact which distinguishes the expediency school of politicians, to immolate self so far as to cut themselves off from the majority portion of the Republican party, and thereby doom themselves to the hopeless prospects of a minority. They would prefer being the conductors of the stray sheep back to the fold, and thus show to the majority their own extraordinary value as able and influential shepherds. Others honestly believed that it was the best course to struggle within the Republican party for the democratic principle, rather than out of it.

The election for the General Committees to Tammany Hall and for all the wards, took place in December, and presented majorities in each decidedly opposed to the anti-monopoly movement, and such strong majorities as indicated a determination to crush the "agrarian spirit" entirely. On the occurrence of this result, what did the compromisers do? Somewhat, perhaps, like the termination of an old tragedy, "exeunt omnes in great dejection." The rank and file of the Equal Rights democracy was left to its own course, and it soon took its march onward. A meeting was held on the 11th of January, 1836, at the Military and Civic Hotel, where, among other proceedings, it was emphatically Resolved, "That it has become the duty of the Democratic party opposed to Monopolies, to organize themselves, the better to disseminate and maintain their principles." Whereupon, Job Haskell was chosen President, Moses Jaques Treasurer, and Wm. F. Piatt, Secretary, until a plan of organization should be adopted.

On the 20th of January, a general meeting was held at the same place, when resolutions of independence of the Tammany organization were submitted, declaring, "That we no longer recognize Tammany hall as a temple of true democracy; nor the Tammany Society as a democratic body;—that the said society exercises a political as well as a proprietary control, so that only such candidates, such politics, and such usages as the sachems approve can be permitted there. That we renounce all connection with the General or other Committees which may assemble there, and that henceforth we will not be the dupes of usages over which the people have no real control, but which interfere with the full exercise of the elective franchise, and defraud the citizen, in the selection of candidates, of an essential portion of his constitutional rights."

The whole subject of separation was argued with great vehemency, for and against: J. W. Vethake, Rodney S. Church, Alexander Ming, Jr., against, and John Com-

merford, Wm. F. Piatt,<sup>3</sup> F. Byrdsall and others for it. The discussion lasted until midnight, and notwithstanding motion after motion to postpone, and evade a decision, it was reached at last, and the resolutions were carried. Had Barnabas Bates been present, he might have prevented such a decision by some more proper and advisable course. But from the time of the contingency compromise, he abandoned the Equal Rights meetings thereafter. His absence was very properly felt, for no man labored more in the anti-monopoly movement than he did. He was not only Treasurer, but often did he preside at conventional meetings, the most able and proper chairman, during the summer and fall of 1835. He was a pioneer in reform, for he assisted to build up the Workingman's party of 1828. Doubtless he had proper reasons for his course now, as it is fair to believe that he is a man who always acts from a delicate, as well as profound sense of propriety.

A resolution was also passed calling on the wards to elect delegates to a County Convention, to draft a plan of organization.

On the 9th of February, 1836, the County Convention of delegates met at the Eighth Ward House, in Spring st. The following is a list of the delegates:

*Second Ward.* James Fiora, Wm. A. Watson, Wm. Hewit, Richard Weir, Dexter Roberts.

*Third Ward.* John Windt, Samuel S. Parker, John A. Riell, John Watkins, Marinus H. Vandyke.

*Fourth Ward.* D. C. Peck, Joseph Rose, Jr., Wm. H. Hughes, Richard French, Walter Coppinger.

*Seventh Ward.* Thomas W. Rennie, Daniel Gorham, Philo Scofield, Elzsur Hall, George H. Purser.

*Eighth Ward.* Moses Jaques, F. Byrdsall, Francis Murphy, Wm. L. Boyee, Ephraim Furniss.

*Tenth Ward.* Alexander Ming, Jr., Levi D. Slamm, James A. Pyne, Warden Hayward, Amos Waring.

*Eleventh Ward.* Job Haskell, Peter Rose, Elijah Smack, Charles E. Newman, Wilson Hawkins.

*Thirteenth Ward.* Wm. Boggs, John Woods, John W. Brown, John Commerford, Oramel Bingham.

*Fourteenth Ward.* Wm. F. Piatt, Samuel J. Pooley, John Rusk, Daniel Reeder, Alfred C. Price.

The reader will perceive in the foregoing list of delegates, but few of the prominent names conspicuous in the original anti-monopoly movement. Only Alex'r. Ming, Jr., Job Haskell, John Windt, and John Commerford. The places of the seceders were ably occupied by M. Jaques, Stephen Hasbrouck, Alex'r. F. Vache, A. D. Wilson and others.

The Convention appointed a special committee to draft a plan of organization, and at the second meeting of the Convention the committee reported one, which was adopted. The following are its principal features:—

It provided for general County meetings on the first Monday in each month, and for Ward meetings in each month.

It provided for the election of County officers, Treasurer, Recording Secretary, and Finance Committee, on the first Monday in June and December of each year.

It provided for the nomination of candidates for the suffrage of the people, viz :

#### ARTICLE VI.

#### MODE OF NOMINATING CANDIDATES.

In the selection of candidates that are to be voted for by a general ticket throughout the County, each Ward may nominate one person for each office to be filled, which nominations shall, within two days thereafter, be handed to the Recording Secretary of the County, who shall arrange them in order under each office, without repeating the names of the persons who may have had a nomination from several Wards for the same office; which list of nominations shall be published with a proper explanatory heading, at least three times prior to the meeting for balloting, in such papers as the meeting may direct.

The Secretary shall also have prepared for the use of the members a sufficiency of printed lists of the persons nominated, from which the members shall, by ballot, select their candidates. If a ballot contain more names than necessary for the office or offices voted for,



such ballot shall not be counted. A majority of votes shall duly nominate candidates to be supported.

It provided, that any person might become a member of the party, by signing the Declaration of Principles, but that no person should have the right to vote unless he have signed the Declaration at a Ward or County meeting.

It provided the following rule as to candidates :

#### ARTICLE VIII.

#### RIGHT OF INSTRUCTION.

Every candidate when notified of his nomination shall be required to sign the Declaration of Principles, and such written pledge as the meeting may frame, enumerating particular measures he is to advocate or oppose.

The following is the

#### DECLARATION OF PRINCIPLES.

WE, whose names are hereunto affixed, do associate ourselves, and unite, for the purpose of effecting Constitutional Reform in legislation, and to bring into practice the principles on which the governments of these United States were originally founded. We utterly disclaim any intention or design of instituting any new party, but declare ourselves the original Democratic party, our whole object being political reformation by reviving the landmarks and principles of Democracy. We therefore hold with the revered Jefferson, that,

1st. "The true foundation of Republican Government is the *equal rights* of every citizen, in his person and property, and in their management."

2d. "The rightful power of all legislation is to declare and enforce only our *natural rights and duties*, and to take *none of them from us*. No man has a *natural right to commit aggression* on the *equal rights* of another; and this is *ALL* from which the law ought to restrain him. Every man is under the *natural duty* of contributing to the necessities of society; and this is *all* the law should enforce on him. When the laws have declared and enforced all this, they have fulfilled their functions."

3d. "The idea is quite unfounded that on entering into society, we *give up any natural right*."

4th. Unqualified and uncompromising hostility to bank notes and paper money as a circulating medium, because gold and silver is the only safe and constitutional currency.

5th. Hostility to any and all monopolies by legislation, because they are a violation of the equal rights of *The People*.

6th. Hostility to the dangerous and unconstitutional creation of *vested rights* by legislation, because they are a usurpation of the people's sovereign rights. And we hold that all laws or acts of incorporation passed by one Legislature can be rightfully altered or repealed by their successors.

The Convention passed the following Preamble and Resolutions :

WHEREAS—When, on the ever memorable 4th of July, 1776, the thirteen Colonies of North America renounced all political connection or subjection to the government of Great Britain, they founded their Declaration of Independence on the natural, equal, inalienable rights of man. And when subsequently, it became necessary to form Constitutions and governments for themselves, the democratic principle of the paramount sovereignty of the people, was constantly and emphatically set forth: hence, it was only as a matter of convenience, that the plan of legislating by representatives was adopted; but the worst prerogative of despotism, that of vesting privileges and divesting of rights, never could have been delegated to any government in the Union. Ours are governments of derived and specified powers, and not of original or independent authority; and, like the leaves of the forest, they are only of annual duration. Had the framers of our Constitutions considered it right in itself, consistent with the just rights of the people, or with our political system, for legislators to enact laws specifying any number of years, or a perpetuity of existence, would they have established annual elections and annual governments? If a legislature can enact any law to continue in force for as long a term of years as it chooses to designate, it can also as reasonably hold office and exercise power so long as it can pledge the public faith to its acts, and bind future generations.

It is well argued and demonstrated by Thomas Jefferson, that every generation of mankind has the sovereign right of changing the government and constructing a new Constitution. He averaged a generation at twenty years. Can a legislature, therefore, make laws more sacred than the Constitution, more binding on the people? Is the servant greater than his master? Is the legislature greater than the people, the paramount sovereign? Is a charter more irrevocable than the Constitution? And, in short, can they alter, repeal, or remake the one, and dare they not interfere with or repeal the other? If so, then is the paramount sovereignty in chartered companies, and not in the hands of the people.

*Resolved*—As the deliberate belief and solemn sentiment of this Convention, That it is usurpation of the worst and most dangerous character, for any legislature in the Union to grant charters of privileges or immunities, for any specified term of years, because legislatures cannot rightfully grant that to others which they never possessed themselves, and because they have no prospective authority as to futurity. They have no power, ability, competency, or means to add to or increase the rights of the great mass of the people, and therefore

no authority to take from, limit, or diminish those rights. They have no right to tie up the hands of their successors on any subject of legislation that concerns or affects the community. The natural, the equal, inalienable, civil and social rights of the people, are always invaded where privileges are granted to individuals or companies. In fact, the people are not sovereign, nor freedom does not truly exist, when governments assume such prerogatives and exercise such injustice and despotism; our annual elections are an absurdity, the prohibition of privileged orders in the Constitution is a mere sounding brass and tinkling cymbal, so long as our legislative halls are charter manufactories.

*Resolved*, That our principles and measures are strictly democratic, in accordance with the theory of our government and the happiness of our country. We require nothing exclusive for ourselves, no advantage but what we are desirous should be extended to each and every citizen of this republic. We "ask nothing but what is manifestly right, nor will we submit tamely to those abuses of legislation which are clearly wrong." We ask, "that the blessings of government, like the dews of Heaven, should descend equally on the high and the low, the rich and the poor."

We ask the repeal of all unequal, unjust, unconstitutional laws, granting powers or privileges to portions of the community, to the divesting of the rights and manifest injury of the majority.

We ask that the state legislatures will confine themselves to their proper sphere of action, as respects the currency, and that they will cease to usurp from the general government a power granted by the Constitution. We demand that the state governments will no longer authorize the issuing of bills of credit, commonly called bank notes, in open violation of the Constitution of the United States.

We ask that our legislators will legislate for the whole people and not for favored portions of our fellow-citizens, thereby creating distinct aristocratic little communities within the great community. It is by such partial and unjust legislation that the productive classes of society are compelled by necessity, to form unions for mutual preservation, and because they are not equally protected and respected as the other classes of mankind.

We ask to be reinstated in our equal and constitutional rights according to the fundamental truths in the Declaration of Independence, and as sanctioned by the Constitution of the United States, because it is "self-evident that all men are created equal; that they are endowed by their creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness; and that to secure those rights, governments are instituted among men."

In short, we ask nothing but what is consistent with Christian Democracy; for, in the declaration that "God is no respecter of persons, all are equal in his sight," we behold the universal equality of man:—In the denunciation of, "Woe unto you ye lawyers, for ye bind heavy burthens and grievous to be borne upon men's shoulders," we see the strongest form of command against unequal laws, or monopolies:—In the precept of "Do unto others as ye would that they

should do unto you," is the divine doctrine of Equal Justice;—and in the injunction of "Be ye perfect, even as your father in heaven is perfect," we behold the great law of progress.

The convention at the close of its second meeting, adjourned sine die. The plan of organization was submitted to the Senate county meeting, February 23d, and adopted. Its adoption caused further defections, but the men who adopted it made no calculations of self; of expediency or compromise. They had taken principle only in view, and they had made up their minds to go onward towards the mark of their high calling, let others do as they might. The spirit of progress was in them, or that christian light which inspires bright hopes in the future for humanity, a new earth, as well as a new heaven.

The Declaration of principles was drawn up by *Moses Jaques*, the President of the Convention, who is now introduced to the reader as the man venerated by the little band of Equal Rights Democrats—as something more than their leader, their patriarch. Mild, yet immovably fixed in his views and principles, whatever were his convictions, they were the workings of his own mind and rather incitements from within, than excitements from without: consequently, such a man would be more of a thinker and a reasoner, than an impassioned speaker; yet he always spoke lucidly and with effect. His age, his qualifications, and his connection with the Revolution of 1776 combined to make him the man to lead a body of democrats who thought and reasoned, and who had love of principle and of country at heart. His father had been a colonel commandant of the New Jersey line during the revolutionary war, and such was the confidence reposed in the thoughtfulness and firmness of the son, a lad not ten years old, that he was mounted on horseback and employed to carry despatches to General George Washington. The boy did his errands faithfully and well, and since then, the whole life of the man morally and politically has been worthy of the patriot boy of the Revolution. Such is



Moses Jaques—the patriarchal leader of the Loco-Focos, for they never had in fact any other visible leader among them.

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### CHAPTER III.

Election of Officers—Remarks on New Organization—Sketch of the Old Military and Civil Hotel—Preparations for Charter Election—Nomination of William Leggett for the Mayoralty—His answer to Committee—Alexander Ming, jun. nominated—He accepts—Extracts from his letter—The Democrat—Ward Nominations for the Common Council—Extracts from M. Jaques' Address—Reflections—New paper, "the Union"—Sketch of its Editor, John Commerford—Republican Nominating Committee of 1835—Resolutions—Remarks.

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Principles, Measures and Men.

BROWNSON.

AT the first regular general meeting of the Equal Rights Democracy under the plan of organization, the election of officers took place. Moses Jaques was elected Treasurer, and was successively re-elected, until he left the city in 1837. F. Byrdsall was elected Recording Secretary, which office he also held until the fifth of June 1837, when he declined being a candidate.

By the election of these two officers, and a Committee of Finance, the new constitution of organization was put into operation, to the exclusion of those political monopolies, General committees, Ward committees, or Nominating committees, by which the sovereignty of the people is annually abstracted. Candidates were hereafter to be selected by the popular and truly democratic mode of the direct vote by ballot of the majority. The right of suffrage consists of two parts, first, the right of selecting the candidate—an exercise of the right of conscience politically; and second, the right of voting at the polls—an exercise of the right of speech; neither of which a citizen can rightfully alienate to another. Besides, as was justly remark-

ed in the Report of the Committee that drafted the plan of organization, "The 'usage' of nominating committees furnishes this strong argument against popular suffrage, that the people are not competent, or have not judgment enough, or they cannot conveniently select their own candidates, and must therefore elect a small number of supposed wise and judicious men to make selections for them."

Henceforth every Loco-Foco found himself on the broad platform of Equality of *Position*, as well as of rights, there being no preferred men to vamp up matters by authority, and thus sink the individual citizen in his own eyes, by imparting the character of irregularity to any of his political movements. This elevated him to his rightful position, so that independence of mind and freedom of debate followed as natural consequences. Hence, there was no such thing as attempting to put a man down at a Loco-Foco meeting, for each auditor felt that the rights of the speaker and his own rights, as well as political position, were the same, and exactly equal; and as each man saw and knew that his rights were regarded as sacred, that he would be listened to by all, he had strong inducements to think before he spoke. In short, Loco Foco meetings were the best of political schools, and the old Military and Civic Hotel was the arena of more discussion on "principles, measures and men," than the headquarters of either the Whigs or Monopoly Republicans. But it is but due to those whose history this book professes to be, that the old headquarters of the Equal Rights Democracy should be described.

The Military and Civic Hotel, formerly located on the S. W. corner of Bowery and Broome street, was a frame building of the olden time, not quite two stories high, and it appeared to have a friendly leaning towards the adjoining house, probably of a long standing. Before entering the door, it was necessary to descend two or three steps below the pavement of the street, to bring you on a level with the threshold. When you entered

the door, you would see that the Hotel was one of the most unostentatious of hotels in the world, for there was not the least appearance of aristocracy in the equipments of the bar, the unassuming landlord, or the guests to whom his services were devoted. Passing round the bar, you would find yourself at the foot of humble looking stairs, lighted of evenings by a very humble-looking dark japanned lamp. If you wished to raise yourself to the level of the street, you had to ascend the stairs, or retrace your steps and leave the Military and Civic Hotel. But if you were desirous of seeing the temple of Loco-Focoism, and would go up the stairs, you would by ascending some six or eight steps, find yourself at the door of the sacred room. On crossing its threshold, you would find yourself under a low ceiling, and surrounded by walls of a smoky antique appearance. Two or four candles were wont to be stuck up round the room in tins attached to the walls, and, in the early days of the Loco Foco party, two candles graced the table until they were superceded by an embrowned lamp suspended from the ceiling, which sent up its column of rich smoke, as if to indicate the aspiring fortunes of the Loco Focos. There was a platform large enough for a small table and three or four chairs to stand on, and this humble enthronement for officers of meetings, was the only aristocratic or monarchic furnishment of the sanctorum. Yet it was here that pure democracy was preached ; and it was here that enthusiasm was enkindled for the glórious principle of equality of rights ; and often have the old window sashes, in the time-seasoned, shrunken casements, rattled front and rear in unison with the heart-felt applauses given in the great cause of human rights. The Founder of Christianity was born in a manger ; and it is perfectly in character that the principles of christian democracy should be proclaimed in such humble places as the Military and Civic Hotel.

The manger is no longer in Bethlehem, nor is there a vestige of it to be seen. The Military and Civic Hotel is no longer on the south-west corner of Bowery and Broome

streets, for a large brick building stands in its place in lofty altitude. But the principles taught by Him who associated with publicans and sinners, and which were advocated by the Loco Focos, are the same, and they are eternal.

At the general meeting on the 7th of March, it was unanimously resolved to nominate, at as early a day as practicable, candidates for ward officers, and also a candidate for the mayoralty, to be supported at the ensuing election. William Leggett was subsequently nominated, and the report is subjoined of the Committee appointed to wait on him to tender him the nomination.

“Your Committee, appointed by the General Meeting of the Democratic electors of this city, held at this place on the 21st instant, to wait on Mr. Leggett, and inform him of the unanimous wish of his fellow-citizens, composing the anti-monopoly democracy, that he would consent to be their candidate for the mayoralty, at the approaching election, have performed that duty and now report :

“That they waited on Mr. Leggett, and stated to him the desire of his fellow-citizens, and urged upon him, in the best manner they could, the importance, and even necessity, of accepting the proposed nomination.

“Mr. Leggett heard with great attention your Committee, and acknowledged himself under much obligation for the favorable opinion of his fellow-citizens, and the flattering manner in which the nomination had been tendered. He professed himself to be fully with us in principle, and would do all in his power, as editor of a paper, to sustain our cause. But that, owing to ill health, the peculiar state of his family, his pecuniary affairs, and his engagements to his partner before he left for Europe, he could not accept the honor so kindly offered to him. The foregoing, and other reasons, fully satisfied your Committee that his declining the nomination was fully justifiable and proper.”

M. JAKES, *Ch'n Committee.*

On the announcement of Mr. Leggett's refusal, the meeting proceeded at once to nominate a candidate. Several persons were put in nomination, but Alexander Ming had a majority of the ballots in his favor, and was duly nominated.

When the vote in his favor was declared to the meeting, he vacated the chair, (for he was chairman of the



meeting,) and eloquently addressed his fellow citizens. He avowed his willingness to act for and with the people in any and every democratic movement. He accepted the nomination, because it was given by a large majority.

A committee of sixteen was chosen to address him in order to obtain his views of reform. This committee reported to a subsequent meeting his letter, from which we extract the following :

“NEW YORK, April 4, 1836.

“Gentlemen—I have received and perused with attention the communication addressed to me, by a Committee appointed by a meeting of the Democracy, at which I had the honor to receive the nomination as the candidate of the Democratic party, for the office of Mayor. Your letter, also, particularly requests my written reply; and I make no hesitation in cheerfully acceding to your wishes.

“The affirmations and interrogatories which are contained in your communication cannot but meet with the concurrence of every friend of our country, and every advocate of the freedom and purity of elections. It therefore affords me great pleasure to state, how cheerfully my heart responds to sentiments and principles so emphatically democratic.

“That no candidate should be held up for popular favor, unless he express himself fully and freely on the general and local topics which may agitate the times, and that he be pledged to sustain democratic principles, and advocate the interests and will of his constituents, is a doctrine so orthodox, so consonant with the principles and advice of the immortal Jefferson, so favorable to a proper appreciation and necessary canvassing of the merits of the people’s candidates, that I cannot but hail your determination to resort to and practice it, as the harbinger of the ultimate triumph of the political, civil, and natural rights of man.

“In answer to your first interrogatory, I declare myself satisfied and confirmed in the opinion, that in the democratic republic equal rights should be secured to every citizen, in his person and in his property, and that he should be left perfectly untrammelled in the free exercise and enjoyment of them.

“No laws should be enacted in a free government, to give to one citizen rights and privileges from which others are restricted; nor confer benefits on any in which all may not participate. Laws therefore, made for the protection and interest of one party, and not for all parties, are aggressions on our equal rights, violations of our constitutional charter, and acts of monopoly to which I am strenuously opposed, and which ought not in my opinion to be allowed to exist in a land of equal liberty and equal laws.

“Any acts or ordinances, therefore, which tend to subvert the fundamental principles of equality on which this government is founded,

or to endanger the rights, property or persons of our citizens, to restrict the freedom of the press, the freedom of religious, civil, or political opinion, I pledge myself to you, should readily receive my utmost hostility, and were I possessed of the power, my unalterable and determined veto."

The remainder of Colonel Ming's reply, was in relation to markets and ferries and the freedom of trade from license and inspection Laws; and his answers were in perfect consistency with the principles of free trade, and the political doctrines of that portion of the Democratic family to which he belonged.

It is proper to mention in this place, that the Democracy above mentioned had concluded to have an organ as well as an organization, and for this purpose the "Democrat" made its appearance on the 9th of March. It was published by John Windt and his partner, composing the firm of Windt & Conrad, and issued as a penny paper under the editorial charge of Clinton Roosevelt.

The campaign of the Charter Election in the city of New York 1836, presented the tickets of three distinct political parties for the Common Council, and the tickets of four parties for the Mayoralty. The candidates for the latter were :

- |                                     |                 |
|-------------------------------------|-----------------|
| 1st. Monopoly or Tammany candidate, | C. W. LAWRENCE, |
| 2nd. Whig or Federalist             | do SETH GEER,   |
| 3rd. Anti-monopoly or Loco-Foco     | " A. MING, jr.  |
| 4th. Native American,               | F. B. MORSE.    |

The Loco-Focos supported the following candidates for the Common Council.

	<i>Aldermen.</i>	<i>Assistants.</i>
3rd. Ward	John Windt,	John Watkins,
4th. " "	John H. Lee,	D. C. Pentz,
5th. " "	F. S. Cozzens,	Zina H. Harris,
6th. " "	C. Crolus,	R. S. Church,
7th. " "	E. G. Barney,	Aaron Swartz,
8th. " "	M. Jaques,	V. Sillcocks,
10th. " "	Job Haskell,	P. Snedecor,

11th. Ward	B. F. Hallock,	J. L. Stratton,
13th. " "	R. Waterhouse,	J. W. Brown,
14th. " "	Danl. Reeder,	S. J. Pooley,
16th. " "	G. B. Thorpe,	Don A. Cushman.

The running of the above named candidates, had the effect of dividing the Common Council equally between the Tammany and Whig parties. The board of Aldermen stood 8 to 8, and many weeks elapsed before a presiding officer was chosen. Yet we know of no bad consequences resulting to the public through this novel inter-regnum of city legislation. Could it not be demonstrated that it would have been well for the people of the United States, had there been a total absence of legislation in the General Government and all the legislatures of the states and cities, from 1835 to 1843 ?

The votes on the candidates for the Mayoralty were as follows :

Lawrence,	.	.	.	.	.	16101
Geer,	.	.	.	.	.	5989
Ming,	.	.	.	.	.	2712
Morse,	.	.	.	.	.	1496

C. W. Lawrence, the candidate of the monopoly Democracy, was elected.

Thus the anti-monopoly revolt in the previous election in November, inflicted a wound upon the system of monopoly from which it has never recovered. The Loco-Foco movement in the charter election in April following, inflicted a wound upon the official and political organization which sustained the system in the city ; yet these events did not open the eyes of the " old fashioned Dimmycrats " as they called themselves, par-excellence. They " believed not in the new fangled Democracy of the Evening Post and the Loco-Focos." They had to *feel* before they would believe. No indeed, they stood by their darling monopoly system to the last, as long as it stood, and not until it came falling downward, did they fall away

from it and condemn it. Such was the dim sighted democracy of these "dimmycrats."

And now, gentle reader, you are requested to contemplate the glorious spectacle of a little band of men contending against two great political parties, for the sake of principles only. There was no prospect of success as a party, no chance of electing to office, and yet this little band performed the arduous labor, and incurred the heavy expense, of two elections each year, which required the energy and means of the greatest parties to sustain. But this little band felt and knew they had a just and righteous cause in their charge, and many of them disinterestedly devoted their best energies, and most of them gave all they could spare from their scanty means; for they were animated by a noble enthusiasm which had its origin from a higher source than self-seeking, office or profit. The difficulties they had to encounter—the sacrifices they had to make, and the slanders they had to bear from every point of the political compass, inspired them to higher virtue and to greater efforts. M. Jaques, in his address to the citizens of the 8th Ward, when he was run as a candidate for the Common Council, gave the most correct view of the motives, objects and position of the party.

"In suffering myself at this time to be held up by you as a candidate for office, I am fully aware of the calumny—the abuse—the contumely I am to receive from corrupt and unprincipled party presses. But gentlemen, I have made up my mind to make the sacrifice and endure the calumny—to sustain the principles and measures which we have pledged ourselves to carry out."

\* \* \* \* \*

"The present may truly be said to be a time which tries men's principles. The sun-shine patriot shrinks from the contest, and seeks refuge in compromises, in expediency, in any thing, but an honest and independent support of principle."

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"The principles of Democracy and the principles of morality, are one and the same. That maxim which teaches us to do as we would be done by, is nothing more than the doctrine of reciprocity of benefits enjoined. That precept which teaches us to return good for evil, is the peaceful submission of our wrongs to the laws of our country and



the force of public opinion for redress. That precept which bids us to love our neighbor as ourselves, is nothing more than the doctrine of Equal Rights inculcated.

"Ours is the cause of justice, of humanity, and of benevolence. The God of justice, of humanity and of benevolence, is on our side; therefore we have nothing to fear. Let no man who earns his bread by the sweat of his brow neglect to deposite his vote in support of reform, and of the natural equal rights of man."

Will it be believed in future years, that the man who uttered the above sentiments, and his political associates who cherished them, were stigmatized as the "worst enemies of the best institutions of society?" As the "enemies of the laws of God and man?" "As destructive Agrarians, seeking an equal division of property?" As "infidels" opposed to all religion and morality? Yet these and many more calumnies were put in print, read, believed and circulated until the very term of Loco Foco in politics, was one of utter abhorrence. Much has been said of the intelligence of the American people. If an excessive gullibility, which receives all the falsehoods of party presses as truths, constitutes intelligence, then are we the most intelligent people that ever existed.

Soon after the charter election, at a special meeting on the 15th of April, it was resolved that the anti-monopoly organization throughout the city, should be maintained with increased vigilance and perseverance. It was also resolved, at this meeting, to call a county convention to correspond with the candidates for the presidency and the vice-presidency of the United States; and that each ward elect five delegates to meet in convention on the third Monday in May.

About this time, the General Trades Union concluded to publish a newspaper to advocate the social rights and interests of the mechanics generally. This paper, "The Union," was placed under the editorial charge of John Commerford, then president of the Trades Union, and one of the earliest of the anti-monopolists.

*John Commerford* was the author of an able elaborated

review of Chief Justice Savage's opinion in the case of the state against some shoe makers of Geneva, for a conspiracy to raise the wages of their labor. He is a mechanic, of considerable talent as a political speaker, but more as a writer. In after years, we find him the author of "An Address to the Workingmen of New York," previous to the presidential election of 1840, and probably the ablest production of the kind that has appeared in the United States. He is the man John C. Calhoun alluded to on another occasion, in the Senate of the United States, in the following words; "the petition he presented, was drawn up with ability by a mechanic, as he was assured, but whose good sense and discriminating judgment would do him credit in this or any other body." It must be added, as a commentary on all this, that his independence of mind is not agreeable to expedient politicians, nor those who have influence in the disposal of office. His political leaders must be men of real, not factitious, superiority, or he won't follow; they must be of the true Democratic faith and practice, or he will speak out. As an opponent, he is open, and as a friend he has the very rare merit of being a better and kinder friend in adversity than in prosperity.

The "*Union*" took as large a scope in politics as the committee in whose charge it was placed would permit; and it took strong ground in behalf of those journeymen tailors who were prosecuted and found guilty for "a conspiracy against trade and commerce, and the peace, safety, and dignity of the State of New York,"—in plain English, "a strike to raise wages," but in this case, we believe, it was a strike to prevent the employers from reducing them down. This produced, in June, a Park meeting of mechanics, and a call for a state convention to meet at Utica on the 15th of September. The reader will find that the anti-monopolists subsequently united in seconding this call for a state convention, and that they adopted this one as their own.

It remains to be mentioned, before concluding this

chapter, that the Monopoly Nominating Committee, which nominated at Tammany Hall, October, 1835, the tickets headed Gideon Lee for Congress and John I. Morgan for Assembly, sent up a petition to the legislature to charter more banks and banking capital. The petitioners sent their memorial not as private citizens, but as the Nominating Committee of the New York city delegation. The members from the city, in obedience to their nominators, urged the business effectually, and the number of banks chartered, and that had their capital increased during the session, amounted to thirteen.

The Loco-Focos took this matter up, and denounced the petition so far as it assumed any political authority, coming from a Nominating Committee, superior to that of private citizens. After stating the case, the resolutions went on : "Are our legislators *directly* responsible to the committee and only *indirectly* to the people? What are the usages, then, but a substitution of the French electoral system, instead of the Democratic American?" "But," added another part of the proceedings, "as the Apostle Peter denied his master, so have the saints of Tammany denied the principles of pure Democracy, and having imitated one apostle, may they be forgiven when they follow the example of another, the initials of whose name are Judas Iscariot."

"Nevertheless," continued these Reformers, "we rejoice in the dawn of a brighter era in our political history; when we shall not behold the degrading spectacle of a Democratic Republican people contending at the polls about candidates only, sacrificing in a mad zeal for individuals all consideration of the rights and interests of millions. The watchwords at our elections will yet be, "Democratic principles and measures," "No charters of exclusive privileges; for they are monopolies, contrary to the great charter of God to all mankind."

Many extracts could be given showing the living hope—the abiding faith of these true Christian Democrats. Sufficient has been adduced to disprove the mendacious

charges of the Federal Whig and Monopoly Democratic presses against the friends of Equality of Rights. But neither parties, presses, nor individuals may hope to do evil with impunity, or that good will result from it. That retributive power is ever active which brings to men's own lips the poisoned cup they prepared for others. How dim-sighted were the Albany Argus, the Richmond Enquirer, the Washington Globe, and the other Democratic Republican editors, that they could not foresee that all the charges of "Agrarian spirit," "Jack Cadeism," destructiveness, &c., which they invented and so liberally applied to the Equal Rights Democracy, would come home to themselves with accumulated interest in future years!

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#### CHAPTER IV.

County Convention to correspond with Presidential Candidates—Remarks—Report of the Correspondence—That of the minority of the Committee adopted—Debate—Resolution laid on the table—A Compromise—Correspondence with Col. Samuel Young—Remarks—Reply to Col. Young—Remarks respecting the Union and the Democrat.

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Every Candidate shall be required to sign the Declaration of Principles and such written pledge as the meeting may frame.—ART. VIII. CONSTIT. OF ORGANIZATION.

THE County Convention to correspond with the candidates for the presidency and vice presidency of the United States, and also to call a state convention, met on the 16th of May, and organized by electing Edward G. Barney as president, Daniel Gorham and B. F. Hallock as vice presidents, and James L. Stratton and John A. Riell as secretaries.

The following is a list of the delegates :

3d Ward.—John Watkins, Doctor Gray, John A. Riell, George Curtis, Charles Dingley.



- 4th Ward.*—John H. Lee, Daniel C. Pentz, Gilbert Vail, Wm. E. Skidmore, Richard Cooke.
- 5th Ward.*—F. S. Cozzens, Orrin Stoughton, James Locklin, Wm. Derrickson, Henry Curtis.
- 6th Ward.*—Paul M. Durando, George Brown, Rodney S. Church, Alexander F. Vaché.
- 7th Ward.*—Edward M. Luther, Robert Hogbin, Edward G. Barney, Daniel Gorham, John M. Ferrier.
- 8th Ward.*—Moses Jaques, Thomas Dyer, John Bogert, F. Byrdsall, Ephraim Furnis.
- 10th Ward.*—Alexander Ming, Jr., Levi D. Slamm, Warden Hayward, Thomas G. Fenwick, Charles Hunter.
- 11th Ward.*—B. F. Hallock, Hugh Collins, P. B. Smith, James L. Stratton, James M. Crocheron.
- 13th Ward.*—Asa Onderdonk, Mathias Hanlon, Edward McKeeby, John Commerford, Abraham Van Gelden.
- 14th Ward.*—Wm. F. Piatt, Stephen Hasbrouck, Thomas Dorsett, E. D. Truesdell, S. J. Pooley.
- 15th Ward.*—E. G. Webb, Dr. Clement, James N. Ryan, E. W. Graham, Elijah Fisher.

The convention passed a resolution that no delegate be allowed to vote, unless he had signed, or signs, the declaration of principles.

A committee of five persons was decided on, to correspond with candidates for the presidential election, and Messrs. Vaché, Jaques, Hasbrouck, Ming and Graham were chosen as that committee.

This committee reported its correspondence with R. M. Johnson to the convention, at its meeting July 7th. It was received with the warmest approbation and ordered to be published. On the 18th July its correspondence with Mr. Van Buren was reported. His letter was unsatisfactory and its publication met with opposition. It was carried however, by fourteen ayes to nine noes.

This convention did not close its labors until the latter end of July, and it held no less than sixteen meetings. The protracted existence of this body, was owing to Mr.

Van Buren's letter. It is very probable he intended it for a very conciliatory production ; if he did, he entirely failed in his design, for it neither excited placable feelings towards himself, nor harmony amongst those to whom it was addressed.

A committee of three was appointed, Messrs. Hayward, Crocheron and Byrdsall, to draft a report of the proceedings of the convention, to be presented to the general county meeting. The majority of this committee, Hayward and Crocheron, brought in a report which was accepted and laid on the table. The minority report, (F. Byrdsall's) was then taken up and adopted by the convention. It is now presented to the reader.

1. The Convention of delegates (elected and convened, pursuant to a resolution passed at the general meeting of the Democratic party of the city and county of New York, opposed to all monopolies, held on the 15th of April, 1836,) having attended to the duties assigned to it, respectfully request leave to report :

2. On the subject of the first part of the resolution, viz : to recommend a State Convention, diversities of opinion have manifested themselves as to the practicability and utility of it. As respects its being practicable, although there is evidence that the principles and reforms advocated by the anti-monopoly democracy have, in all parts of the state, numerous friends and talented advocates, yet there is not any organization of the real democracy, and it would consequently require much time to disseminate circulars, interchange sentiment and produce concert of action, necessary to the accomplishing of a State Convention.

3. As to the utility of a State Convention at this juncture, it is held by several to be somewhat questionable, for the reason that there will be a general convention of mechanics and working men at Utica on the 15th of September next, and being satisfied that their objects and measures must necessarily be founded on the same principles, and in favor of the same reforms in government, as are urged by the anti-monopoly democracy,—Equal Rights, Equal Laws, and Equal Justice, it is therefore believed that the one convention, will supercede the necessity of the other.

4. With regard to the second part of the resolution, viz : to address the candidates for the Presidency and Vice Presidency of the United States, on the subject of the principles and reforms advocated by the Equal Rights Democracy, your convention has corresponded with the nominees of the Baltimore Convention exclusively, because either the consistency, or the ability, or the democratic faith of the other candidates, is a matter of great doubt in the minds of the people.

5. This convention acknowledges with the highest gratification,

that the communication received from Richard M. Johnson, already published and herewith submitted, is in full accordance with our Declaration of Principles, of which it is an able and happily expressed exposition. The frank unlimited avowal of his political tenets, is alike honorable to him as a sincere democrat, a true patriot and honest man.

6. But the same encomiums cannot be justly applied to the answer received from the candidate for the presidency, Martin Van Buren, and which has also been published. It is evasive, unsatisfactory, and unworthy of a great statesman. The world, however, will judge of the motives which dictated it.

The correspondence is as herewith submitted.

NEW YORK, June 13, 1836.

Col. R. M. Johnson :

SIR :—As a Committee of a General Convention of the Democratic party of the city and county of New York, in favor of Equal Rights and opposed to all monopolies, we are instructed to submit to your consideration, as the candidate of the Baltimore Convention, for the office of Vice President of the United States, the following Declaration of Principles, adopted by those whom the delegates have the honor to represent.

#### DECLARATION OF PRINCIPLES.

We, whose names are hereunto affixed, do associate ourselves and unite, for the purpose of effecting Constitutional Reform in Legislation, and to bring into practice the principles on which the governments of these United States were originally founded. We utterly disclaim any intention or design of instituting any new party, but declare ourselves the original Democratic party, our whole object being political reformation by reviving the landmarks and principles of Democracy. We therefore hold with the revered Jefferson, that

1st. "The true foundation of Republican Government is the *equal rights* of every citizen, in his person and property, and in their management."

2d. "The rightful power of all legislation is to declare and enforce only our *natural rights and duties*, and to take *none of them from us*. No man has a *natural right* to commit aggression on the *equal rights* of another; and this is *ALL* from which the law ought to restrain him. Every man is under the *natural duty* of contributing to the necessities of society, and this is *all the law* should enforce on him. When the laws have declared and enforced all this, they have fulfilled their functions."

3d. "The idea is quite unfounded that on entering into society, we *give up any natural right*."

4th. Unqualified and uncompromising hostility to bank notes and paper money as a circulating medium, because gold and silver is the only safe and constitutional currency.

5th. Hostility to any and all monopolies by legislation, because they are a violation of the equal rights of *The People*.

6th. Hostility to the dangerous and unconstitutional creation of *vested rights* by legislation, because they are a usurpation of the people's sovereign rights. And we hold that all laws or acts of incorporation passed by one legislature can be rightfully altered or repealed by their successors.

In requesting an expression of your opinion in relation to them, as early as may be consistent with your other avocations, we are desired by the Convention to add the assurance of their high appreciation of your political course, and the most profound respect and esteem, which they entertain for you as a man.

ALEXANDER F. VACHE',      STEPHEN HASBROUCK,  
E. W. GRAHAM,              M. JACQUES,  
                                        ALEX. MING, Jr.

*Answer of R. M. Johnson.*

WASHINGTON, June 24, 1836.

GENTLEMEN:—I have the honor to acknowledge the receipt of your letter of the 13th inst., enclosing the report and constitution of the Democratic Convention in New York, and submitting to my consideration the Declaration of Principles which it contains.

In contemplating man in a state of nature, I have not been in the habit of regarding him as a solitary, but as a social being. We come not into existence in a state of solitude; but the commencement of our being is in the society of our kind, and in a state of entire dependance upon our seniors.

A state of infancy is, therefore, by the law of nature, a state of subjection, and its government patriarchal. When infancy is past, our associations assume a different character. For most of the conveniences, and for many of the necessities of life, we are still dependent on one another; but that dependance is reciprocal, and therefore it imposes no obligations, and confers no privileges on one class or individual which are not common to all. No one has a natural right to interrupt another in the enjoyment of "life, liberty and the pursuit of happiness," according to his own volition; and if man were not depraved, there would be no necessity for human laws or government, to secure him in the enjoyment of these natural rights. To restrain the licentiousness of those who would invade these rights, is the sole object of legitimate government. All beyond this is usurpation. In defining the rules to be observed in securing this object, every man in society is by nature equal, and entitled to an equal voice; and the obligation to contribute to the expenses and services necessary to the protection and support of the institutions by which those rights are guarded is equally universal. These principles I conceive to be immutable and the corollary is plain, that the natural rights and obligations of citizens of the same community are equal and universal. The rights of no class can be relinquished, nor the obligations dissolved, without injustice and oppression.



This you will understand as expressing my views in approbation of the three first paragraphs of the Declaration of principles. On the others, I believe all the acts of my public life have shown my opposition to all monopolies and vested rights. Our natural rights are sufficient, and a legislative body cannot create others. To confer upon any man, or body of men, an exclusive power to exercise them, is only to deprive the rest of the community of those rights. The influence which any man, or voluntary association of men, may gain by their success in any kind of business, will always be sufficiently great and sufficiently dangerous, without the recognition of law, or the special favor of government. Every generation of men acts for itself, and is uncontrolled by the acts of the former generation; so every legislature acts for its constituents, with the same power and prerogative that its predecessor possessed; and no act of one legislature can of right curtail the powers of its successor. Therefore, except in the fulfilment of lawful contracts, such as the reimbursement of debts contracted, or payment for services performed, any act of one legislature may be repealed by a subsequent legislature. The preservation of public faith in legislative acts, is a duty, and beyond this, the obligation of one legislative body cannot devolve upon another. All obligations are reciprocal, and as the acts of the present legislature cannot revert, so the acts of the former cannot bind the present.

I have considered it an unfortunate circumstance that we are become a banking nation. If the original proposition could recur, I should hope that the decision would be given unqualifiedly against the introduction of any other circulating medium, than that of specie.

A paper circulation by increasing the amount, lessens its nominal value, and the banks derive the benefit.

If the evil cannot be eradicated immediately, we should endeavor by all honorable means to prevent its extension, in the hope that public sentiment will eventually become so universally in favor of the specie medium, that without a general shock to all public confidence "the golden age" may be restored.

With great respect and esteem,

Your friend and fellow citizen,

R. M. JOHNSON.

*Answer of M. Van Buren.*

WASHINGTON, July 6th, 1836.

GENTLEMEN :—I have had the honor to receive your letter with an accompanying "Declaration of Principles," adopted by a "general convention of the democratic party of the city and county of New York, in favor of Equal Rights and opposed to all monopolies," and return you my sincere thanks for this mark of your respect. In the great principle with which you set out, viz. "That the true foundation of republican government is the Equal right of every citizen, in his person, in his property, and in their management," I fully concur, and honor and respect all temperate and well directed efforts to protect and enforce it. For my views in regard to the other propositions contained in the Declaration, and especially to those which relate to

the subject of banks and paper money, specie currency and monopolies, you must allow me to refer you to a public course of no inconsiderable duration in the state and federal government, and to a succession of public declarations heretofore made by me. On some of the latter subjects, I shall also have an occasion for a further public expression of my opinions, in reply to a call made upon me before the receipt of your letter.

To these acts and expressions, I respectfully invite your candid consideration, and if they should be found to bring my principles sufficiently near to those you espouse, to entitle me to your confidence, I shall be proud of possessing it.

Accept, gentlemen, my thanks for the kind expressions contained in your letter, and believe me to be very respectfully,

Your obedient servant,

M. VAN BUREN.

7. The convention adds, that the 8th article of the constitution of organization, and a recorded resolution passed on the 20th Jan. 1836, prohibit our support of any candidate who will not avow his entire concurrence with the Declaration of Principles. The letter of R. M. Johnson is amply satisfactory, while that of M. Van Buren is not so, to any true democrat.

The constitution of the United States, in this case leaves us only a choice of evils, as respects the presidential election, viz: either to give up the fundamental tenet and objects of our organization, or not vote at all, and thereby withdraw our support from R. M. Johnson, the man whom we would delight to honor.

Such alternatives exhibit the anomalous absurdity of that clumsy aristocratic machinery, called the electoral college, by which citizens are deprived of the right of voting directly for officers, in whose hands the government is placed, and particularly where that right is clearest and strongest, as in the case of the highest functionary in the republic, where legislative power is united with the executive.

Your convention therefore strenuously recommends that memorials be constantly and perseveringly presented, until the constitution be so amended, that the citizen can vote directly in the election of the President and Vice President of the United States."

The foregoing report and accompanying correspondence elicited much excitement and debate in several meetings of the convention, upon the sixth clause referring to M. Van Buren's letter. That body adopted it however, on 30th of July, and passed a resolution that each member sanction the Report, by signing his name to it. It was also adopted by the General County Meeting, on August the first following, but not without an excited contest. A resolution to support M. Van Buren and R. M. Johnson,

was laid on the table. Finally, the combatants came to a compromise—that the party would adopt no presidential ticket, but that each member be left to make his own choice. It so resulted, that the uncompromising portion of the anti-monopolists did not vote any electoral ticket at the ensuing election.

About this time, the correspondence was submitted which had taken place between Col. Samuel Young, and the committee appointed to notify him of his having been nominated on the 4th of July, as the candidate of the anti-monopoly party for the office of Governor of the State. The committee addressed him the following letter :

NEW YORK, July 1836.

*Samuel Young, Esqr.*

SIR:—At a general meeting of the Democratic Party of the city and county of New York in favor of Equal Rights and opposed to all monopolies, the undersigned were appointed a special committee for the purpose of transmitting to you the following Declaration of Principles, and requesting an expression of your opinion in relation to them, as early as may suit your convenience.

Should these principles meet your approbation, the committee is instructed to tender you a spontaneous nomination for the office of Governor of the State, and to assure you of the undivided support of the party they represent, at the ensuing election.

In conclusion, the committee take great pleasure in conveying to you the high sense which their constituents entertain of your political course, and the confidence they repose in the moral firmness of your character, as an individual and a Statesman.

With great respect and esteem,

G. W. MATSELL,     DANL. GORHAM,  
F. BYRDSALL,     JOHN DRINKER,  
JOHN WINDT.

*Col. Young's Reply.*

BALLSTON, July, 1836.

GENTLEMEN:—Your communication reached this place soon after its date, but absence from home and pre-engagements, prevented my earlier attention to it.

As a committee, you have stated six propositions, and inform me that should they meet my approbation, you are instructed to tender me a spontaneous nomination for the office of Governor of the State.

Before I advert to the principles which you have communicated, permit me distinctly and unequivocally to decline the nomination to which you allude. I should be extremely reluctant to accept such

nomination, were it offered me by the united Democracy of the State ; and during the pendency of a Presidential contest, where union alone is strength, I should feel that any step calculated to divide the Democratic family, would be tantamount to a dereliction of principle. You doubtless supposed that whoever may be your candidate, would be adopted by the whole party ; but this I consider to be extremely questionable. The country has the same claims to be considered as the city. The rights and duties of each to the other are reciprocal, and any thing which should appear dictatorial in the one, would be repelled by the other.

On one subject, I think from my situation I can judge better than you ; it is as to the progress which your principles in favor of Equal Rights and opposed to all monopolies are making in the country. I know that these principles are steadily advancing in many parts of the State. I earnestly wish them success, and I fear by adopting an exclusive and distinct organization at the coming election, you may retard their progress.

On looking for the last few years at the old world, and particularly at the country from which most of us derive our origin, I have been extremely gratified to perceive that the rugged features of the feudal system are gradually crumbling away, that human rights and rational liberty are emerging from the ruins, and that the period for the adoption of Equal laws is probably near at hand.

Our course however as a state during the same period, presents a sickening contrast. We have departed, and are continually departing from the simplicity of those principles, which were the price of our fathers' blood. The few are gradually monopolizing the rights of the many, and legislation has become the subject of bargain and sale, of venality and corruption. I say this deliberately, and after twenty-five years of observation and experience.

The increased protraction of the sessions of each successive legislature, and the constant multiplication of private and partial laws, indicate an approximation to that state of decadence, which is so strongly and truly portrayed in the sententious brevity of the great historian, "*corruptissima republica plurima leges.*" Whilst legislation is directed as it ever should be, to the greatest good of the greatest number, laws will be few and simple. But in proportion as it is perverted to the corrupt subserviency of stock jobbers, speculators and monopolists, will it become more intricate, protracted and multifarious. When the immutable truth is fully understood, that there is no possible way of *creating* wealth but by productive labor, it is perfectly apparent that the gains of speculators, and the profits of monopolists, are extortions upon mankind, in which the few participate at the expense of the many.

Occupied with their private concerns, the great mass of mankind do not always bestow sufficient attention to watch the silent operation of laws, and to trace the connection of cause and effect. Little by little, the aggressions of power steal unperceived upon the body politic, like the debility of age upon the human frame. Twenty



years ago, the legislation of the last session, if it could not have been otherwise averted, would have aroused the whole community to arms. The undeniable truth that all men are born free, and have equal rights in the enjoyment of life, liberty, property, and the pursuit of happiness, was not then forgotten nor disregarded. And a proposition to tax the present, by a multiplication of monopolies, and the future by a hopeless accumulation of debt, would have been repelled either by moral or physical force. The plan of raising money by selling their children—of collecting funds by imposing a mortgage on the land and labor of posterity, did not form the financial system of our forefathers.

In the detestable robberies which ancient nations committed upon each other, there was at least a display of bold and manly courage. They met sword in hand, and the spoils belonged to the conquerer. The baths, aqueducts, temples, amphitheatres and other internal improvements of the Romans, were constructed by the booty extorted from vanquished nations. But a demagogue of the present day, backed by a disciplined lobby and a few mercenary presses, can rifle more plunder from the unborn, than ever surrounded the triumphal car of a Roman General. Warren Hastings at the head of a huge monopoly, the English East India Company, laid waste the Carnatic, extorted the wealth and sacrificed the lives of its inhabitants. But a corporation of the present time, without the expense and risk of a war, and simply by corrupting the easy virtue of legislatures, has plundered three millions from future generations. Men enter into the social compact to obtain protection for themselves and posterity, but this end, by the weakness and profligacy of rulers, is perverted, and the institution of government, intended as a shield, is converted into a sword. The power of man to do mischief to his species, is infinitely superior to that of doing good. "A savage who has not the capacity to construct a hut, may nevertheless demolish a temple." The visitations of Providence though often severe, are of short duration, and the most durable of all sublunary evils are the inflictions of human government. The late disastrous fire in your city will soon be forgotten; the tears and terrors inflicted by the ravages of the cholera have nearly passed away, but the curse of bad legislation, is like the undying worm. If the quantum of evil is to be estimated by a compound ratio of its intensity and duration, I have no hesitation in saying, that had the recent legislature, instead of the laws of the last session, adopted and enforced the edict of Herod, less misery would have resulted to the human race.

Odious and detestable as are monopolies, they merely impose a tax on the living; and men if they will, may sell themselves for slaves and rivet their own chains. But to inflict slavery and taxation upon those who are to come after us, is an exhibition of fraud, inhumanity and cowardice, at which every honorable feeling revolts. Animals protect their young from harm with instinctive solicitude. Man alone sells his offspring to speculators and monopolists, and this by a gross desecration of terms, is denominated by the demagogues of the day "Internal Improvement."

Under none but a mild and free government, can the moral and intellectual powers of man expand to their fullest amplitude. Constantly surrounded by obstructions and beset by temptations, his advances, under the most favorable circumstances, are extremely slow. What, then, should be said of him who would project chains into the future, and superadd to the ordinary ills of life, the curse of greivous and perpetual taxation?

But it is time that my suggestions were brought to a close. I fully concur in most of the principles you have stated. There is one, however, the fourth, to which I am not prepared to assent. Under my present impressions, I would not wholly exclude paper as a circulating medium. Without sufficient knowledge and experience of my own on this subject, I yield to the opinions of such men as Smith and Say, and suppose that it may be useful when rightly restrained to certain limits, but that the amount of paper in circulation should never exceed the amount of specie. A repeal of the usury and restraining laws, a proper limit of bank issues, and an exclusion from circulation of all bills of a less denomination than twenty dollars, would, as I think, in a great measure, if not entirely, prevent those contractions and expansions—those sudden fluctuations in prices, and that demoralizing mania of speculation with which the community has been scourged, and which is always calculated to injure the productive classes, and to augment the wealth of the rich and the poverty of the poor.

You seem to suppose that legislative encroachments may be arrested, by procuring from individuals a sanction of the principles you have stated. Judging of the future by the past, I fear that this will not be sufficient; that while temptation exists, seduction will follow, and that the only remedy is to take away the power of doing mischief. And had you proposed to resort at once to the fountain of all political power, to procure a convention of the people of the state to remodel and renovate their abused constitution—to apply the sponge of oblivion to all unjust and unequal laws, and affix in terrorum the impress of infamy upon their authors, and erect barriers for the future, too plain to be mistaken by ignorance, and too strong for human cupidity, I should have had greater confidence in your final success. You, however, may perhaps do much to mitigate the evils of the future and to protract the period when one of those storms of human society, which are ever superinduced by misgovernment, shall pass over this state.

I am, gentlemen, &c., &c.,

S. YOUNG.

The reading of the foregoing letter was interrupted by frequent plaudits, and though far less conciliatory in its tone than that of Martin Van Buren, yet it was warmly received, because there was a whole-minded frankness in it, and no holding back of sentiment or opinion; and these

qualities rendered it so acceptable, that its strictures on the separate organization and movements of the anti-monopolists, were readily forgiven. The Committee, however, were instructed to write a reply to Colonel Young's animadversions, and the following was approved and forwarded to him. It was written by F. Byrdsall.

*Reply to Colonel Young.*

NEW YORK, July, 1836.

Sir,—Your answer to our letter of the 4th July last, has been submitted to our constituents, and we are instructed by them to present to you their acknowledgments of the gratification your republican sentiments has afforded them. We are also instructed to make some remarks in relation to certain portions of your communication.

The reasons which induced us to withdraw from the "leaders" and the "usages of the party," are the same, as strong, and as well founded in principle, as those which impelled the separation of the American colonies from the government of Great Britain, or as those which induced Samuel Young to resign his seat in the senate of this state. Misgovernment and usurpation in the former instance, corruption and abuses of legislation in the latter.

The open leaders, the secret movers of the party, and their minions, comprise a body of men whose political turpitude it would be difficult to parallel in any age or country. They have used the party for their own selfish purposes, and are either at the head, or participating in the legalized spoils of every existing monopoly. These chartered Democrats, with the assistance of a secret society, hired presses, the slaves of office and the "known usages," can always caucus and pack the General and Nominating Committees to promote the objects of aristocracy. In fact, the Hamiltonian doctrine of building government on self-interest, venality, and corruption, has been practically illustrated by the leaders of the Democracy of this state, who have constantly professed, and as constantly disregarded the political doctrines of Jefferson, the founder of the original Democratic Party.

Tammany Hall has been a nursery of brokers, where federalists, monopolists and corruptionists are fostered. The capitol has long been a manufactory of stocks for gambling, at the expense of the rights and welfare of the people, and the administrative department of the State exhibited the spectacle of concocting and delivering a democratic message, without the virtue or consistency of acting in accordance with his own reasons and recommendations.

Could the honest democracy witness all these derilections of public duty, violations of principles, abuses of government and legislative usurpations, and remain any longer in the self-styled democratic party, without strengthening this mass of moral and political iniquity? It could not, and therefore has totally seceded from Tammany Hall, Tammany leaders, and Tammany usages.



As to the divisions in the Democratic family, one or the other of the divisions is the democratic party. We claim to be that party, and we refer to the fundamental doctrines we advance, and the measures we advocate as proof of the claim. On the contrary, we boldly point to the acts and measures of the dominant faction of the party, for the last twenty years, and we emphatically demand if they are democratic.

The pendency of a presidential contest is in our opinion, a matter of minor importance, in comparison with the tenets we sustain, and the great objects of their general diffusion. The one may be compared to a temporary mole-hill, the other to a rock whose foundations are eternal.

In reference to your expressions in relation to paper money, we must declare ourselves in favor of a strict construction of the constitution of the United States, as respects the currency, in preference to all the theories of all the political economists that ever existed. Constitutions or laws to be right, must be founded on those moral and equitable principles, which are right in every point of view. If it be right to exclude from circulation all bank notes under twenty dollars, then it is equally right to exclude all above that amount. If it be right that any part of our currency should be promises on paper, then it is right that all of it should be of the same material, and the promissory notes of companies, or of individuals, should be subject to the same general equal laws as respects privileges or penalties. Business considerations, or business arguments, may advance contrary positions, but if they do, they must be on the assumption that business cannot prosper but at the sacrifice of the rights of the people. If so, then is a democratic government only fit for the region of Utopia, and democrats are visionaries.

As respects the great measure of a convention to amend the constitution of the state, we concur with your views, except that we deem it essential to spread a knowledge of the proper objects for which governments are instituted, as a necessary preliminary. We should apprehend much mischief from the alterations or amendments of such men as composed our recent legislature. In the language of Jackson, "we must recur to first principles" before we proceed to measures of reform. We have done so, and shall hold fast to our Declaration of Principles, as the necessary groundwork of reformation in government. We shall also maintain our democratic organization, and demand from those who would be our rulers, political candour and political integrity. We would exercise a moral, not a physical force, as respects men and measures; and so long as our professions are upheld by unswerving fidelity, our onward course will be irresistible, because public opinion in proportion to the virtue and intelligence of the people, will second our exertions, and the hearts of all good and wise men will be with that party, whose objects are political beneficence, or the happiness of the human race.

With sentiments, &c. &c.,

G. W. MATSELL,  
F. BYRDSALL,

DANIEL GORHAM,  
JOHN DRINKER,

JOHN WINDT.



To revert back. It may not be irrelevant to this history to mention, that the "Democrat" ceased being issued in June, and its co-laborer, the "Union," was stopped in July. They were both what are called penny papers; but no subscription list, however large, can sustain a penny paper of similar dimensions, without advertising patronage; and this the working-people had not to bestow. The Union was never revived, but the Democrat became resuscitated in September, and continued under the editorial charge of two gentlemen until after the November election, when it ceased to exist from that time.

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## CHAPTER V.

State Convention at Utica, Sept. 15th—Proceedings—Resolution to be a distinct Party adopted—Nominations for Gubernatorial Candidates—Isaac S. Smith, and Robert Townsend, Jr.—Sketch of the latter by himself—He declines the Nomination—M. Jaques unanimously nominated—Close of the Convention, with Extracts from the address to the People—Correspondence with Isaac S. Smith and M. Jaques.

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"We, the delegates of the Equal Rights party, in Convention assembled, at Utica, do hereby solemnly pledge to each other our determination to adhere to our present political designation, until all the people realize that Equality of Rights which we are now only permitted to contemplate in the distance with hope." HARTUN.

THE month of August, 1836, presents nothing worthy of note in the annals of the Loco-Focos, save the election of delegates to the State Convention, to meet in the city of Utica, on September 15, 1836. Accordingly, on the day appointed, ninety-three delegates from different parts of the state, assembled: the handsome little Court House of that handsome city having been freely offered for the use of the Convention.

Robert Townsend, Jr., of New-York, was elected President—John Colkins, of Genesee, and E. Dorchester, of

Oneida, Vice-Presidents, and W. C. Foster, of Monroe, and J. C. McCully, of Genesee, Secretaries.

The subject of forming a separate party was taken into consideration, and after full and ample discussion, a preamble and resolution, "to institute a political party separate and distinct from all existing parties or factions in this State," were *unanimously* adopted. Also, "that the name of Equal Rights party be, and the same is hereby adopted, as our political designation."

The declaration of principles of the anti-monopolists of New-York was then taken up, and after some additions, it was adopted under the designation of the

#### "DECLARATION OF RIGHTS.

"1. We hold these truths to be self-evident, that all men are created free and equal; that they are endowed by their Creator with inherent inalienable rights; among which are life, liberty, and the pursuit of happiness.

"2. That the true foundation of Republican Government is the Equal Rights of every citizen, in his person and property, and in their management.

"3. That the idea is quite unfounded, that on entering into society we give up any natural right. The rightful power of all legislation is to declare and enforce only our natural rights and duties, and to take none of them from us. No man has a natural right to commit aggression on the equal rights of another; and this is all from which the law ought to restrain him. Every man is under the natural duty of contributing to the necessities of society; and this is all the law should enforce on him. When the laws have declared and enforced all this, they have fulfilled their functions.

"4. We declare unqualified hostility to bank notes and paper money as a circulating medium, because gold and silver is the only safe and constitutional currency.

"5. Hostility to any and all monopolies by legislation, because they are violations of the equal rights of the people.

"6. Hostility to the dangerous and unconstitutional creation of vested rights, or prerogatives by legislation, because they are usurpations of the people's sovereign rights.

"7. That no legislative or other authority in the body politic can rightfully, by charter or otherwise, exempt any man or body of men, in any case whatever, from trial by jury and the jurisdiction or operation of the laws which govern the community.

"8. We hold that each and every law, or act of incorporation, passed by preceding legislatures, can be rightfully altered or repealed by their successors; and that they should be altered or repealed, when

necessary for the public good, or when required by a majority of the people."

And Mr. Haxtun, of Rensselaer, then submitted the following resolution, which was adopted with great enthusiasm :

*Resolved*—That we, the Delegates of the Equal Rights Party, in Convention assembled at Utica, do hereby solemnly pledge to each other our determination to adhere to our present political designation, until all the people realize the Equality of Rights which we are now only permitted to contemplate in the distance with hope.

Having thus formed a separate political party, the next step naturally followed :

*On motion, Resolved*—That this Convention, in order to promote the organization of a political party, separate and distinct from the existing parties and factions of this State, do now nominate candidates for the offices of Governor and Lieutenant Governor of the State of New York.

Several names were then put in nomination, and the Convention voted by ballot for a candidate for Governor. Isaac S. Smith, of Erie county, obtained the majority, and he was consequently nominated.

The Convention next proceeded to ballot for a candidate for Lieutenant-Governor; and of the names put in nomination, Robert Townsend, Jr. obtained the majority of votes, and he was of course duly nominated.

These nominations being made, the following resolution was submitted and adopted :

*Resolved*, That every candidate for any legislative or other office of importance, be required to sign the Declaration of Rights, and such other pledge as the people may frame ; and that no man be held up or supported by this party, for any such office, who shall not have signed his name, and declared his willingness to act in accordance with the same.

*Isaac S. Smith*, nominated by the Equal Rights Party as their candidate for Governor, is a man of well known respectability and intelligence. In early manhood, he exhibited an act of clerical insubordination, which excit-

ed some prejudice against him. At a hotel or boarding house where he resided, he opposed the ceremonial practice of saying grace, at meal times, and this so exasperated the christian meekness of the divine who said grace, or his friends, that a prosecution was commenced, which was afterward very properly dropped. The progenitors of Mr. Smith were of the Society of Friends, and this accounts for his opposition to the ceremonial practice, as well as the clerical profession. Be this as it may, he has ever since been designated as an infidel; but this term has been so indiscriminately and unsparingly used by sectarian religionists, that it has lost all precision of meaning, if it ever had any, save that of contrariety of religious belief. Infidelity in these days, is far less definite than unorthodox.

*Robert Townsend, jr.* nominated as candidate for Lieutenant Governor, addressed the Convention after his nomination. He said he felt it his duty to inform the Convention who and what he was, with the hope that the leading incidents of the life of a working man, would not be without their moral lesson and social use to his fellow citizens. His mother, a confiding girl, had been deceived by a gentlemen of high respectability, and he was born an illegitimate child. While the world's law stigmatized him, nullius filius, the son of nobody, an outcast; while the morality of society rejected his mother as an utterly despicable being, the same code of laws and morality elevated his father to the State Senate, and thus the author of his mother's shame and his own odious birth, suffered not, lost not his caste in society, notwithstanding his real guilt, and the shame and misery his heartless conduct inflicted. Through his early life, the hapless boy was exposed to reproach and suffering for the fault of others, and while society accorded to him no other paterinity but itself, he saw it ever ready as a watchful, as an unfeeling oppressor, to punish any derelictions of that code of laws, of that standard of morality, which fixed the stigma of shame and infamy on himself, and his



mother, of whose moral worth and native goodness, the son gave energetic heartfelt testimony. He served a long apprenticeship to a trade, and when he arrived at that fulness of youth that his heart opened to all around, he was alone in the world; society regarded him not, but only as it regarded itself; there was only hard toil for him, with no kindred genial associations of the past, or present, and no bright prospect of any kind in the future, to cheer that toil; and he became hopeless—dispirited. Such was the text of the sketch which he gave: but it is impossible to describe the deep voice—the deeper feeling—the graphic story of a life such as his—the life of a fatherless, homeless working man, through difficulties and trials. The whole was so true to simple nature, so unaffected and affective, that no stage ever presented any thing so truly dramatic. It produced deep sensations and tears amongst his auditors.

He declined the nomination, and Moses Jaques was unanimously, but against his wish, nominated in his stead. He was prevailed on to accept the nomination.

The Convention sat three days: the forenoons and afternoons were taken up with proceedings, and the evenings with addresses. A body of more intelligent men rarely if ever met. There was none of that imposition of having men and things prepared before hand, for it was a *real* Convention, called together to originate, discuss and decide what ought to be done in the great cause of humanity. It issued an address to the people, the most of which was composed by M. Jaques. The following extracts are presented to the reader.

“FELLOW CITIZENS:—The Convention appointed by the farmers, mechanics, and others friendly to their views, in different sections of this State, to meet at Utica on the 15th of September, inst., “in order to devise the best means and measures of redress of those wrongs and grievances which have resulted from legislative and judicial usurpations,” having duly deliberated on the various subjects submitted to their consideration, respectfully suggest to their fellow-citizens such measures of reform as to them appear most necessary, to claim their attention and support.

“There are two opinions abroad in the world, on the subject of social relations and the government of man. The supporters of both profess to have the same objects in view—the peace, the order, and the happiness of the human race. But as they are founded on different views of our nature and the laws of the Creator, both cannot be true. It is therefore of the first importance that the question should be speedily settled in the minds of this community.

“The theory of the one party is, that man, by reason of his ignorance, and of his corrupt nature, is not capable of self-government; it is therefore necessary that he should be restrained by force. They assert that the Creator in his providence has produced a different order of intelligence among men, and intended that the most intelligent should be the governors and rulers, as well as the owners, and live by the labor of the other portions of the human family. Most of the governments of the old World have been founded on the above theory; its effects are well known, and need not be here enumerated.

“The other theory referred to, is that man is a rational and moral being, ‘that all men are created equal, and endowed by their Creator with certain unalienable rights.’ That by nature he is also a social being, and that on entering into society he does not give up any of his natural rights, but to secure those rights in their fullest enjoyment ‘governments are instituted among men, deriving their just powers from the consent of the governed.’

“The great English law commentator from whom we derive most of our notions of law has laid it down, that ‘man considered as a creature must necessarily be subject to the laws of his Creator.’

“‘This will of his maker is called the law of nature, for as God when he created man and endowed him with free will to conduct himself in all parts of life, he laid down certain *immutable laws* of human nature, whereby that free will is in some degree regulated and restrained, and gave him also the faculty of reason to discover the purport of those laws.’

“‘This law of nature being coeval with mankind, and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe, and in all countries and at all times; NO HUMAN LAWS ARE OF ANY VALIDITY, IF CONTRARY TO THIS; and such of them as are valid derive all their FORCE and all their AUTHORITY MEDIATELY or IMMEDIATELY from this original.’—*Blackstone’s Com. Vol. 1. pp. 39, 40, 41.*

“The governments of these United States were founded on the latter theory, and it is now to be proved by after experience, whether it is capable of being carried out in practice. Of one fact this Convention is convinced, and that is, That most if not all the wrongs and evils, if not the crimes, in society, proceed from bad legislation, the injustice of courts of law, and the licentious and evil example of rulers.

“It is a departure, in our representatives and judges, from the laws of Nature, and the laws of the Creator, which has produced the derangement in the affairs of our State, and which has created the necessity of our assembling here at this time, to devise means for the redress of our WRONGS.

"The first subject to which the Convention would direct the attention of their fellow-citizens is the Banking System of this country—founded on an assumption of power, and a violation of constitutional rights, these considerations are alone sufficient grounds for its condemnation. But to it we may also impute most of our oppressions and our wrongs, and to its influence the most blighting effects on the prosperity of our country and the liberties of the people.

"To the Banking System, and that alone, can be imputed the present demoralizing spirit of gambling speculation, by which vast fortunes are accumulated in a short time—extravagance, idleness, dissipation and crime thereby encouraged.

"It is the machinery by which the industry of the laboring portions of the community is laid under contribution to an amount exceeding twenty millions annually, without an equivalent, or any benefit to our country. It is the plan by which the idle few live by the labor of the many. It has the effect to fill the coffers of the already wealthy, while it takes from the earnings of the poor, thereby making the poor poorer, and the rich richer.

"It is that which has raised everything to a fictitious value, thereby inviting to our shores the products and manufactures of other countries, to the manifest injury of our *farmers, manufacturers and mechanics*.

"Private fortunes, in the present state of our circulation, are at the mercy of chartered money lenders, and are prostrated by the floods of nominal money, with which their avarice deluges us.

"Will the country longer submit to such wrongs and oppression? We trust not. We therefore invite your co-operation in correcting the evil in the most safe and effectual manner, by the gradual withdrawal of Bank paper from circulation. We would also recommend to the consideration of our fellow-citizens the propriety of calling a CONVENTION to revise and so amend the Constitution of this State, as to prohibit future legislatures granting acts of incorporation to companies or individuals in any case whatever, as our only safeguard against temptation.

"The restraining law so called is intimately connected with the subject of banks, and in its effects renders them still more odious as monopolies; it ought therefore to be so far altered or repealed as to permit offices of deposit and discount, but not of issue.

"There has been less improvement in the proceedings of courts of law in the United States since our separation from Great Britain than in either of the other branches of the government—the same forms, the same unintelligible and unmeaning jargon and special pleadings which were imported with our ancestors still prevail, and although we have a republican theory, the practices of our courts of law are as aristocratic, arbitrary and oppressive as they were in the dark ages of feudalism.

"It is now become manifest from experience, that in proportion as men in power are removed from responsibility to the people, they become indifferent to their rights, or to the dictates of justice. The

decisions in some of our courts have recently demonstrated not only the truth of this remark, but the necessity of a constitutional reform in the mode of appointing, as well as the term of service of the judges of our courts, and also some provision against the use of decisions of the aristocratic courts of Europe, as evidence of law in this country where the principles of government are so essentially different. It is therefore recommended to the consideration of our fellow-citizens the propriety of limiting the term of service of the judges of our courts of law to THREE YEARS, and that they be in future elected by the people. The plan of electing judges ANNUALLY by the general court has been practised by the people in the State of Connecticut for nearly two centuries past, and with no evil effects.

“The construction given by the courts of law in this State to the statute on ‘Trade and Commerce,’ so as to make it an indictable offence for mechanics to combine to raise their wages, or fix a price on their labor, is manifestly unjust, oppressive, and a violation of the first law of nature—self-preservation. An amendment or alteration of that statute ought therefore to be insisted on.

“Fellow-Citizens—Too long have we been estranged from each other by party leaders and party prejudices, until we find ourselves involved in a labyrinth of difficulties, dangers and oppressions. While we have been contending about names, principles have been lost sight of. And while we have been amused with a shadow, the substance has been surreptitiously taken from us. Let us now profit by past errors—let us divest ourselves of all party feelings, party prejudices, and attachments to party leaders, and unite to support and carry out correct principles and correct measures. In a Republic but few laws are necessary, and those few plain, simple, and easy of comprehension.

“The leaders of the two great political parties under which the people have arrayed themselves are selfish and unprincipled; the objects of both are power, honors, and emolument; they are the enemies of the equal rights of the citizen; be therefore no longer deceived; let us withdraw ourselves from both, and unite to support those, and only those, who will pledge themselves to oppose all monopolies and all partial and unequal legislation. It is therefore recommended to the friends of reform in the different districts and counties of this State to form tickets for members of Congress and for the State Legislature, composed of men whose principles are avowed and known to be in accordance with our own views, and on whose integrity we can place implicit reliance, and unite our exertions to effect their election; in this we will lay the foundation of legislative and judicial reforms. Be united, be firm, let our watchword be Equal rights, and equal laws, and equal justice, and success will be ours.”

The delegates from the city of New York returned to their constituents and reported progress. All that was done at Utica by the convention was unanimously ap-



proved by the Equal Rights Democracy, and the name of Equal Rights Party adopted; as were also the nominations of the gubernatorial candidates. A committee of correspondence was chosen, and the following answers were received:

*Isaac S. Smith's Letter.*

BUFFALO, September 29th, 1836.

GENTLEMEN:—Your letter of the 26th instant, in behalf of the convention of Mechanics, Farmers, and Workingmen, accompanied by a Declaration of rights adopted by them at Utica, and presented for my consideration, is before me.

Fully approving the resolution which requires of candidates for elective offices, avowals of their political principles, I cheerfully state the following as mine.

The first great political truth to be impressed on the minds of our youth is, that they are born free, and that no acts of legislation should deprive them of perfect equality in rights. This principle will constantly stimulate those of humble birth to compete with the favorites of fortune, and teach them that without personal merit, no one can have just claims to honorable distinction.

Although the first declaration, that "all men are created free and equal," is subscribed to by a vast majority, yet our legislatures have not framed their acts in conformity to it: I allude to their acts of incorporation, generally granted to active and intriguing partisans, who make a trade of electioneering, and find their zeal and fidelity rewarded by valuable monopolies and lucrative offices.

Our legislatures can have no more right to take from the people and confer upon individuals, special and exclusive privileges, than they have to confer titles of nobility.

Indirect taxes on articles of necessity, or which by habit have become so, as well as all demands for personal services without equivalents, which operate oppressively on the poor, and are not felt by the rich, are unjust, and should not exist.

All wealth is an accumulation of surplus labor, from which alone the expenses and burthens of government should be borne. No person possessing mental or physical ability, can have a *moral* right to consume that which he does not in some manner contribute to produce.

None of our institutions have so strong a tendency to create and perpetuate the odious distinctions betwixt the rich and the poor, as the paper money banks. Those incorporations, and others not more meritorious, and yet equally monopolizing, have been the greatest cause of truckling and corruption in legislatures.

The worst feature in the proceedings of the past legislatures, has been the wasteful appropriation of large sums, ostensibly for public improvements, but in reality for party purposes; and the granting of charters for banks, with which to strengthen the hands of party leaders. The great majority of the people have but little interest

individually in these plunderings of the many for the benefit of the few.

The genius of our institutions requires that the majority shall govern, therefore no legislature can in all cases bind their successors.

The doctrine of vested rights, as heretofore promulgated, is dangerous, and cannot be sustained.

I conceive the term, *paper money*, an absurdity; therefore, I would sanction nothing but silver and gold as a circulating medium. Bankers' notes of large denominations, and bills of exchange, which must exist, cannot come within my definition of circulating medium. My creed is to leave commercial men to manage their own affairs.

As the difference in education is one great cause of the distinctions in society, and as our own and the experience of other countries show that a well educated community is the least liable to anarchy; that nothing approaching equality can exist between ignorance and intelligence, I deem it essential to the perpetuation of the best of our institutions, and to promote the happiness of generations to come, that our common schools be established upon a basis that will insure to every child the advantages of equal education. At this time, it is not possible in most parts of our country to obtain any more than the rudiments of the plainest education, unless the children be sent from home, and provided for at a great expense in the towns; this expense being beyond the means of most men, their children neglected, and being comparatively in ignorance, must eventually become the proper subjects for demagogues.

Those who produce all the wealth should not submit to have their families kept in ignorance and degradation, and the common schools held in disrepute, while the public bounty is showered upon those for the education of the aristocratical few. Too much cannot be done for common schools.

As a citizen, having their interests warmly at heart, I approve the Declaration of Rights made by the Mechanics, Farmers and Workingmen, transmitted by you to me; and as they have thought the use of my name would benefit the cause, I do not feel at liberty to decline the nomination with which they have honored me.

I am very respectfully yours,

ISAAC S. SMITH.

To Messrs. E. G. Barney, John Commerford, Daniel Gorham, F. Byrdsall, W. F. Piatt.

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*M. Jaques' Letter.*

NEW YORK, September, 1836.

GENTLEMEN:—I acknowledge the receipt of your letter in behalf of the convention of Mechanics, Farmers and Workingmen, convened at Utica on the 15th instant, addressed to me in reference to my nomination for the office of Lieutenant Governor of this state, enclosing a copy of the Declaration of Rights adopted by that convention, and requesting my approval of the same.

In reply, I have no hesitation in avowing my entire approbation of all the articles contained in the Declaration of Rights referred to.

Founded on the *law of nature*, and of *nature's God*, they contain the elements of all rational and free governments. They ought to be engraven on the hearts and imprinted on the minds of all men, and should furnish the rule of all their social and political actions. No effort on my part shall be wanting to carry them out in practice.

Governments, to be just, should carefully guard the equal rights of every citizen in his person and property, and in their management. That government is imperfect while the most inconsiderable citizen suffers a wrong, and that wrong remains unredressed.

I duly appreciate the favorable opinions of the members of the convention whose partiality conferred on me the nomination for the high and responsible office above referred to; and whether the people ratify their selection or not, my humble efforts shall be ever devoted to the promotion of their true interests, prosperity, and happiness.

For the kind manner in which you have been pleased to address me on this occasion, I tender you collectively and individually the respect and esteem of your friend and fellow-citizen.

M. JAKUES.

The foregoing letters were submitted to the general meeting in the city of New York, and adopted with entire unanimity; consequently Isaac S. Smith and Moses Jaques were the candidates of the Equal Rights Party, nominated to be run at the general election in November, 1836, for the offices of governor and lieutenant governor of the state of New York.

## CHAPTER VI.

Preparations for November election of 1836—Meeting to ballot for Congress ticket—Objections made to Edward Curtis and James Monroe—A. F. Vaché vouches for them—Balloting—Messrs. Hasbrouck, Curtis, Monroe and Ferris nominated—Sketch of Stephen Hasbrouck, contrasted with N. P. Tallmadge—Success of Political apostasy—Sketch of Edward Curtis—His letter to Recording Secretary produces dissatisfaction—Sketch of A. F. Vaché—His motion respecting the letter prevails and the one to the committee of correspondence is taken up, and E. Curtis' nomination is confirmed—Letters from Stephen Hasbrouck, James Monroe, and candidates for the Assembly—Eli Moore's nomination—F. A. Tallmadge's nomination and letter—Reflections.

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“ The man who would present himself to the suffrages of his fellow-citizens, and withhold his political *views and intentions*, is both a knave and a coward :—a knave, meditating treachery to the people, and a coward, afraid to avow his wickedness.”

CAMBRELENG'S SPEECH, Oct. 5th, 1835.

THE month of October, 1836, was at hand, that month, which of all others in the year, sets the politicians of the state of New York in motion to make preparations for the annual general election. The Equal Rights Democracy of the city of New York with that cheerful, unsubdued activity, which always characterised it, was the first at work. By its constitution of organization, each ward had to make a full ticket of nominations for the County, and these were to be submitted to a general meeting of the party, to make selections therefrom by ballot. These ward nominations were published in the Democrat on the 28th of September, and a general meeting called for the 3d of October.

The general meeting took place accordingly, Alexander F. Vaché in the chair. Part of the Assembly ticket was nominated, and Alexander Ming, Jr., as the candidate for County Register.

On the 6th of October, pursuant to adjournment, another general meeting was held to complete the Assembly ticket, and to ballot for the Congressional ticket, John



Commerford in the chair. The following names had been published as candidates for nomination on the Congress ticket :

Stephen Hasbrouck, Edward Curtis, Charles G. Ferris, Eli Moore, C. C. Cambreleng, Thomas Herttell, P. E. Milledoler, Alexander Ming, Jr., William F. Piatt, B. F. Hallock, James Monroe, Clinton Roosevelt, Frederick A. Tallmadge.

Before going into ballot for the Congressional ticket, doubts were expressed in relation to Edward Curtis and James Monroe, when Alexander F. Vaché, a man in whom the party had the fullest confidence, spoke in favor of their nomination, urging the popularity and qualifications of both, and stating that Edward Curtis was a member of the party, having signed the Declaration of Principles in his presence, taking exception only to the last article. That he was well acquainted with them both—that he had frequent conversations with them respecting the Declaration of Principles—“that they were as radical and thorough as any present,” so much so, that he had no hesitation to vouch for them, and that they would strenuously maintain the principles of the party.

The meeting then proceeded to ballot, and on counting the votes of the first balloting, Stephen Hasbrouck, Edward Curtis, Charles G. Ferris and James Monroe obtained the majority. Hasbrouck the highest—Curtis three votes,—Ferris four, and Monroe eight votes less than the highest.

Messrs. Vaché, Byrdsall, Jones, Wilson and Watkins, were chosen a committee to correspond with the candidates.

*Stephen Hasbrouck* is a respectable physician in the city of New York ; he had from the first been with the anti-monopoly Democracy in principle. His ancestry was revolutionary and Democratic Republican. From his earliest youth up, a sincere Democrat by nature, the doctrines of Christianity, (he is a member of a christian church) induced a deeper devotion to those political

principles, which are best expressed by the phrase—Christian Democracy. While a young man, he was a student in the same college with the celebrated N. P. Tallmadge, with whom he had, at that early period of his life, frequent political controversies: they were then attached, each to one of the two opposite parties. What strange commentaries upon the principles of men are the political incidents of their lives! Tallmadge left the Federalist party and joined the Democratic; consequently the new proselyte was a more purified Democrat, and therefore worthy of all the profits and honors which were showered upon him in profusion. The political convert was at length raised to the dignity of Senator of the United States, but a re-conversion brought him to the Federal Whigs, and they could do no less than keep him in the Senate. They would have done more, they would have made him Vice President of the United States, but that policy prevailed over affection, and this induced the nomination of “honest John Tyler.” Stephen Hasbrouck, true to the democracy all his life, has made no personal progress whatever. With much talent, excellent political qualifications, and unblemished moral character, he has never received honor or profit from the Democratic Republican party, however much he might have wished for the one, or may have needed the other. But so it is in politics. Parties act towards apostates coming to their ranks, as if there was heroism in daring to do the deed of shameless desertion, and the deserting hero must be placed in a leading, or profitable position. There are numerous instances to prove that the shortest avenue to political preferment is the zig zag one which leads from party to party, and the surest qualifications for political honors, are political apostacy and dishonesty. At least those who manage the machinery of party will have it so, as long as the majority of the people fondle the theory of self-government at home, and go to sleep as regards the practice of it.

*Edward Curtis* is a member of the legal profession,

possessing considerable natural endowments, not only of political, but also of business ability. He has those gentlemanly manners which are usually united with benevolence, but his good qualities are governed by an aspiring desire for distinction, too apt to overlook the best means of attaining it. While other politicians abandoned one party to join another, Mr. Curtis, either by superior tact or good fortune, became the candidate of three political parties, for he was nominated and supported by the Loco-Focos, the Whigs, and the Native American party. It is best known to the latter party, what he may have written or said in favor of their one little idea to obtain their suffrage; but he had the reputation among the Loco-Focos of having written a series of anti-Bank essays, which were much applauded for the felicitous manner and ability which they displayed. He was considered an acquisition to the Equal Rights party, and he appeared to take a lively interest in the cause.

After he had signed the Declaration of principles, he placed in the hands of the Recording Secretary a written paper, which he stated contained his views in relation to the Declaration. At the same time, he desired that it should be read in open meeting, if his name ever came up as a candidate for any office to be supported by the party.

NEW YORK, Sept. 1836.

*Mr. F. Byrdsall, Rec. Secretary :*

The first three Sections of the Declaration of principles, contain fundamental principles of government, and private rights to which I think no republican ever has objected. They are familiar and universally accepted principles, recognized in the formation of our General and State Governments, and professedly adopted by all parties in this country. With regard to the remaining Sections of the Declaration, the sense in which I subscribe to them, and the extent to which I adopt them is as follows. In regard to Banking, it seems to me the duty of our Legislators, by all lawful measures to protect the people against the evils of an expanded paper currency. That the business wants of our State, instead of any increase of Banks, demand the best wisdom of our Legislatures, both State and National, to ensure us that in all the vicissitudes incident to the Commerce of the country, the Banks already in existence shall be rendered able

and willing to redeem their notes in specie. It is my opinion that the right of the people to compete with the incorporated Banks in dealing in money and in credit as currency; ought to be restored to them by law. The repeal of existing restraints in this respect, is a measure which the advocates of equal rights may well insist upon. If such repeal shall have the effect to establish among us houses for the negotiation of notes and other bills, all those who may have need of such facilities in business, would not be dependent, as now, upon the favor of the incorporated banks. Such a result would promote a freedom of opinion concerning the existing banking system, conducing to salutary reform and tending to the public good. There would probably be less objection than is now made to restraining the issue of small notes by the banks. The inconveniencies of that reform would be less talked of. The basis of the bank issues, strengthened, as I think it is already, by the exclusion of small notes in this and some of the states, may yet be rendered broader and deeper by pushing that wholesome experiment with proper caution still further. The bank interest will cry out against it, for it will curtail their circulation of notes and reduce their gains. It would be said that, though salutary in its object, the measure will avail nothing, because the notes of the banks of other states will supply the places of the notes of our own banks thus restrained by law. I answer, such may be the temporary effect, but whatsoever measure is just in itself and found useful in its results, as tending to perfect the safety of the paper currency, if adopted in this, will not be long delayed in the neighboring states. When it is considered how numberless are the banks already established throughout all the states; that they are now wholly independent of any power that can exercise a general control over their issues; that their reciprocal influences, acting upon each other, tend to increase the aggregate issues of paper, the expansion of one bank enabling its neighboring bank to yield to the always pressing tendencies to follow the example, and the like effect perpetually running through the whole circle of banks; and especially when it be remembered, also, that so long as it be lawful to issue notes of the smallest denominations, they will drive out the gold and silver, and thus paper will form the entire circulating medium; I am not surprised that a reformation of the banking system is becoming a prominent point among the lessons of the political reform of the day.

Upon the subject of monopolies by legislation, my doctrine is, that if there be any kind of business which for the safety of the people need legal restraint or legislation, let the laws be general in their application, so that all who conform to their requisition, may enjoy their protection and their benefits. Then the power of legislation at Albany will cease to be an oppressive monopoly in the hands of the dominant party. Rights and privileges, the rightful inheritance of the whole people, will be no longer doled out in the form of corporate acts, for the wages of partizan servitude. The discriminating tax now levied upon political independence will be thereby repealed, and the struggle which freedom of opinion is now doomed to maintain



against the established legislative bounties to partisan subserviency, will be at an end.

The sixth section of the Declaration of Principles has this clause: "Hostility to the dangerous and unconstitutional creation of vested rights," and then proceeds to assert the power of one legislature to repeal any law passed by a former legislature. I take it this clause does not intend to deny the power of legislatures to create vested rights by constitutional laws; and I certainly do not agree that all laws passed by one legislature, may be rightfully repealed by a succeeding or subsequent legislature. There is a large class of laws under which private rights are vested, and whereby the state becomes a party to lawful grants and contracts, for the maintenance of which the good faith of the State is pledged. The Constitution of the United States prohibits the States from passing laws impairing the obligation of contracts, and to repeal or disturb grants or contracts constitutionally made by the State, would be a violation of that provision and bring dishonor upon the people. I have thus, at length, declared my understanding of the Declaration of Principles of the "Antimonopoly Party," and the extent to which I have subscribed to them, because I deem it very important that dealing with those who profess to be desirous to "effect constitutional reform in legislation, and to bring back into practice the principles upon which the government of these States was originally founded." I should not even seem to take any ground which may not be clearly maintained.

EDWARD CURTIS.

Of *Charles G. Ferris*, the third candidate nominated by the Equal Rights Party, we have already given a brief sketch. We have only to add in this place, that he declined the nomination and *Eli Moore* was subsequently nominated to supply his place on the ticket. Mr. Moore signed the Declaration of Rights, and had the honor of receiving the nomination of the Equal Rights and Tammany Parties on the same evening.

*James Monroe*, the fourth candidate of the Equal Rights Party for Congress, never became a member of the Party, for he never signed the Declaration. But the letter he wrote to the committee of correspondence was deemed so satisfactory that his nomination was confirmed.

A general county meeting was held on the 19th of October, and the committee which had been chosen to correspond with the candidates for Congress and the State Legislature, were called on to report. The Recording Secretary presented and read the written paper addressed

to him by Mr. Curtis, already given. The contents of the letter in relation to the fourth and last articles were unsatisfactory; a second reading of it was called for, after which an excited debate ensued. In the midst of it Alex. F. Vaché interposed and addressed the meeting.

*Doctor A. F. Vaché*, the most ingenious casuist of the Loco-Foco Party, had, under the tuition of the celebrated Doctor Sam'l L. Mitchell, become a proficient, to a degree of fastidiousness in the selection of words and niceties of style, for which his casuistic turn of mind naturally disposed him. He spoke to the meeting in that earnest but assuasive tone of voice for which he is distinguished as a reasoner, arguing that the Equal Rights Party had nothing to do with the letter addressed by Mr. Curtis to Mr. Byrdsall, because it was a private communication and not a public document. He urged that Mr. Curtis or any body else had a perfect right to address a communication to the Recording Secretary upon the Declaration of Principles, containing the views of the writer; but the Equal Rights Party had nothing to do with this, as a political party, and it was not necessary, because that a committee had been already appointed to correspond with the candidates, and he as chairman of that committee, had received a letter from Mr. Curtis to be read to the meeting. He therefore moved that the letter addressed to Mr. Byrdsall be laid on the table as a private document, so that the letter to the committee of correspondence might be taken up for consideration. This motion prevailed and the following correspondence was submitted:

NEW YORK, October, 1836.

*To Messrs. Stephen Hasbrouck, Charles G. Ferris, Edward Curtis, and James Monroe.*

GENTLEMEN—We are instructed by the Democratic Party friendly to Equal Rights and opposed to all Monopolies, to inform you of your nomination as members of Congress, and to submit for your approval the "Declaration of Rights," adopted by the State Convention at Utica, September 15th, 1836.—

[*See Declaration of Rights.*]

We are also instructed to request your answer to the following questions:

1st. Will you advocate such amendment of the Constitution as will admit the right of the people to vote directly in the election of President and Vice President of the United States? Also, the ineligibility of those officers to a re-election?

2d. Are you in favor of a strict construction of the Constitution of the United States?

3d. Will you advocate the repeal of duties on the prime necessities of life, and especially the duty on foreign coal?

Your assent to the "Declaration of Rights," and the questions above stated, is necessarily and respectfully requested in order to be laid before the county meeting.

With the highest respect, &c.

ALEX. F. VACHE, F. BYRDSALL,  
R. R. JONES, JOHN WATKINS,  
A. D. WILSON.

NEW YORK, October 19, 1836.

GENTLEMEN:—I have the honor to acknowledge the receipt of your letter, informing me that I have been nominated as one of the candidates for Congress, by the "*Democratic Party friendly to Equal Rights and opposed to all Monopolies.*" Your letter also contains certain articles, setting forth the political faith of the Party, and presents several questions touching the expediency of certain measures. Having on a former occasion testified my assent to the Declaration of Principles, and made known my sentiments, I will proceed at once to state my opinions on the subjects to which the questions relate. I am in favor of such an amendment of the Constitution of the U. States as will secure to the people the right of voting directly for President and Vice President. It would, in my opinion, be a discreet measure to limit the term of service in the offices of President and Vice President to one term. Such an alteration would probably give us more security against the evil consequences of official intrigue and corruption. It is, in my opinion, the safest rule to adhere to a strict construction of the Constitution. I readily yield my assent to the proposition, that no duties ought to be imposed upon such important articles of commerce as are usually classed among the necessities of life; and with respect to foreign coals, it seems to me that not only policy, but common philanthropy, demands that coals should be admitted into our ports free of duty. My humble services shall never be wanting to such a modification of the Tariff as shall exempt us from the enormous tax unnecessarily and unjustly imposed upon us, in the exorbitant prices at which our fuel, for domestic and manufacturing purposes, is now purchased. Having noticed all the interrogatories submitted, I declare my acceptance of the nomination. Should I be elected, I shall with such ability as I possess, maintain the Equal Rights of the people, and act for the best good of our common country.

With great regard, gentlemen, for each of you, personally, I am yours,

EDWARD CURTIS.

To Messrs. Alex. F. Vache, F. Byrdsall, R. R. Jones, John Watkins, and A. D. Wilson, Esqr's. Committee, &c.

This letter to the Committee was discussed and finally decided upon as satisfactory, by the majority. Mr. Curtis' nomination was then confirmed. The letters of the other candidates were also submitted. They are inserted for the perusal of the reader.

NEW YORK, October 14th, 1836.

GENTLEMEN :—Your letter communicating to me my nomination as a candidate for Congress, by the Democratic Party of this city, friendly to Equal Rights and opposed to all monopolies, has been duly received.

In it, you have, as instructed, submitted for my approval the Declaration of Rights adopted by the Convention at Utica, on the 15th Sept. 1836—being almost a transcript of the Declaration of Principles of that portion of the Equal Rights Party, which has for some time past associated in this city, it has my most cordial approbation.

The first three articles contain a summary of the Principles which form the basis of all correct government, principles derived from the laws of natural religion, the sovereignty of Deity, and the relations men sustain to their Creator and each other, and which are fully recognized and confirmed by Revelation.

The 5th, 6th and 7th articles are merely the extension of those Principles, by declaring an opposition to certain violations, or abuses of them, which have too often occurred in the exercise of government, and which have been the source of much evil in communities.

The fourth article contains explicit provisions of our national compact concerning currency.

The last article only declares the powers necessarily incident to every community the right of self-government, and of the majority to rule.

In reply to your first question, I answer that I consider such an amendment of the Constitution of the United States as shall give to the people the direct choice of president and vice-president, and the limitation of their service to one term, required by the best interests of the country, as the great security against official intrigue and corruption, and I shall always be ready to advocate it.

To your second question, I reply that I consider a strict construction of the Constitution of the United States, necessary to preserve the harmony of the Union, and the perpetuity of our government, that we should always bear in mind that our general government is one of expressly delegated powers, and that to "the states or the people" belong all other powers, which they have not "prohibited" to themselves by the national compact.

To the third question I reply, that I shall ever be ready to advocate a repeal of duties on such articles as are referred to, especially that on foreign coals, as a measure both of philanthropy and of sound national policy.

To my fellow-citizens whom, as a committee you represent, I ac-



knowledge the grateful sense I entertain of the honor conferred on me, in selecting me as a candidate for member of Congress. Unambitious of public office, and preferring the pursuits of private life, I should have declined the nomination, but believing that when, as at present, great and important principles are at stake, no one should decline the call of his fellow-citizens, unless for the most weighty considerations. I accept the nomination you have tendered me, and if elected will, according to my ability, sustain the great principles you advocate, with a conscientious regard to the interests of our common country.

With highest, &c.,

STEPHEN HASBROUCK.

—  
NEW YORK, October 18th, 1836.

GENTLEMEN:—On the 13th, I received your letter informing me that I had been honored with a nomination for Congress, by the "Democratic Party opposed to all monopolies, and in favor of Equal Rights." If I have a right understanding of the principles of your party, your candidates are committed to maintain the Equal Rights of the people, to oppose all monopolies by legislation, and to exempt from taxation the necessities of life; that you are in favor of a repeal of the restraining law, which restores to the people the exclusive privilege now exercised by the banks, of dealing in money; that so far from holding, as has been represented, a disposition to invade the rights or property of citizens, by the repeal of constitutional laws, you hold to a strict construction of the constitution of the United States, and insist upon the full benefit of the guarantee, for all the rights established by the fundamental law of the land. With these views of your doctrines, I have resolved to accept the nomination. Under existing circumstances, I presume I shall, at least on this occasion, escape all implication of ambitious motives. My sole purpose is to meet the wishes of a party which I believe to be honest, and which, though strong in principles, is numerically feeble, in comparison with the contending parties of the day. I enter the field without the least expectation of meeting that success which such a cause merits, and with no other object than the maintenance of those principles, hoping that as they become known to the American people, they will receive their approbation, and repel the slanders with which you have been assailed by the ignorant, and the selfish, and the interested. In conclusion, it is due to myself and friends to state, that though this is the fourth time that my name has been put in nomination in general election, that I have never sought, but on the contrary, have at all times, as known to my friends, endeavored to avoid it. Yet circumstances which I have not considered myself at liberty to control, have obliged me to yield to the wishes of my fellow-citizens. I have ever been taught not to stop to count numbers, when fighting for principle.

Accept, gentlemen, &c., &c.,

JAMES MONROE.

NEW YORK, October, 1836.

*To Messrs. Clinton Roosevelt, Job Haskell, Alexander Gray, William F. Piatt, John Windt, Robert Townsend, jr., Edward J. Webb, John Wilder, Hiram Tupper, Levi D. Slamm, George W. Matsell, Edward G. Barney, and George Dixey:—*

Gentlemen—It becomes our duty to convey to you, in behalf of the Democratic Party friendly to Equal Rights and opposed to all Monopolies, your nomination for members of Assembly for the county of New York, and to submit to you the “Declaration of Rights” adopted by the State convention at Utica, September 15th, 1836.

We are also instructed to request your answers to the following questions:—

1st. Will you advocate the repeal of the Restraining Law, so far as to permit offices of discount and deposit?

2d. And the exclusion from circulation as currency of all bank notes of ten dollars and under that amount?

3d. And the election of Judges by the people, and for a limited term of office?

4th. And the repeal of laws, or parts of laws, prohibiting, or adverse to working people individually or collectively fixing the wages of their own labor?

5th. And a more extended, equal and convenient system of public school instruction?

6th. Non-imprisonment for debt?

7th. And the lien law so amended as really to afford a lien of security, plain and useful to working men?

Your assent to the “Declaration of Rights,” and the questions above stated, is necessarily requested, in order to be laid before the county meeting.

Very respectfully, &c.,

ALEX. F. VACHE,

R. R. JONES,

F. BYRDSALL,

JOHN WATKINS,

A. W. WILSON.

NEW YORK, October 17th, 1836.

Gentlemen—We have received your notification, in behalf of the Democratic Party in favor of Equal Rights, of our nomination for members of Assembly for the county of New York, and acknowledge the honor conferred on us in being selected as candidates to represent in the State Legislature a party founded on the purest and most enlarged principles of justice.

You do us the honor also to submit to us the Declaration of Rights adopted by the State Convention at Utica, on the 15th of September, 1836;—and to these and several succeeding questions you request a reply.

The first article of the Declaration to which our assent is asked, is the first paragraph of the Declaration of Independence, adopted by the sages and patriots of the Revolution, and claims our unanimous support.

With regard to the principles contained in the six succeeding articles in the Bill of Rights, we also unhesitatingly declare our cheerful acquiescence.

In reference to the eighth and last articles, we beg leave to say, that while we also concur therein, we wish, for the sake of more fully enlightening the public mind in relation to our views, to give the following explanation.

It declares that "each and every law or act of incorporation passed by preceding legislatures, can be rightfully altered or repealed by their successors, and that they should be so altered or repealed when necessary for the public good, or when required by a majority of the people."

We take it for granted that there is nothing contained or intended so to be, in this article, calculated either directly or indirectly to impair the constitutional rights of any citizen or citizens.

In answer to the seven questions which follow the Declaration of Rights, we remark: In order to be brief and explicit, we readily give our answer to all and each of them in the affirmative. But the requisition in relation to a more extended, equal and convenient system of public education, claims particular notice and support, as ignorance and vice go hand in hand; and in a Republican government the *worst evil is ignorance*.

Very respectfully,

CLINTON ROOSEVELT,  
WILLIAM F. PIATT,  
GEORGE W. MATSELL,  
GEORGE DIXEY,  
JOB HASKELL,  
EDWARD J. WEBB,  
JOHN WILDER,

ROBERT TOWNSEND, JR.  
ALEXANDER GRAY,  
JOHN WINDT,  
HIRAM TUPPER,  
EDWARD G. BARNEY,  
CHARLES HUNTER.

The General Meeting approved the preceding correspondence, and by decided majorities confirmed the nominations when separately put to vote. Thus, by balloting in the several Wards, by balloting in the General County meeting, and finally by the *vivâ voce* decision of another general meeting, Stephen Hasbrouck, Edward Curtis and James Monroe were adopted as candidates for Congress; and Clinton Roosevelt, Robert Townsend, jr., Alexander Gray, Edward J. Webb, Hiram Tupper, George W. Mattsell, Job Haskell, John Windt, William F. Piatt, John Wilder, Charles Hunter, Edward G. Barney, George Dixey, as candidates for the House of Assembly of the State Legislature.

The resignation of Mr. Ferris was accepted, and at an

adjourned meeting held on the 21st October, Mr. Eli Moore was nominated. He signed the Declaration of Principles, and subsequently his assent to the other questions of the letter of the Committee. This completed the Congressional ticket.

Mr. F. A. Tallmadge, nominated for the State Senate, was run in opposition to Morgan L. Smith the Tammany candidate. As a private citizen, Mr. M. L. Smith was highly esteemed by many of the Equal Rights Party, but his political associations being of that peculiar democracy of which Mr. Gideon Lee was a leader, the political animosity of the Equal Rights Party towards Mr. Lee, and the "oldest and wisest" of Tammany, extended itself towards Mr. Smith. The nomination of Gideon Lee in 1835 for Congress had produced the nomination of Charles G. Ferris with the view of defeating his election. Mr. Lee was, however, elected in 1835, and as if to provoke the Equal Rights Democracy still further, he was again nominated in 1836. To defeat him was in both cases equally an object of principle, but it now also became an object of feeling. The decided indications of his being again a candidate did much to lessen opposition to the nomination of Mr. Curtis as a Loco-Foco candidate. The honest and generous-minded are not naturally suspicious, and the bearing of Mr. Curtis towards every member of the Equal Rights Party with whom he conversed, together with his speech on the 4th of November, was such as to inspire confidence. The party did confide in him, and supported him by its full vote, in the election.

*F. A. Tallmadge* signed the original Declaration of Principles "with the qualification of the last article in the Declaration of Rights," namely, "when necessary for the public good or when required by a majority of the people." His first letter to the Committee of Correspondence was opposed, and sent back to him as unsatisfactory. He wrote another instead, and he was thereupon nominated, the following letter being satisfactory.



NEW YORK, October, 1836.

GENTLEMEN:—I received your communication, announcing my “nomination for the office of Senator for the First Senatorial District in the legislature of this State, by the Democratic Party friendly to Equal Rights and opposed to all monopolies,” with those feelings of gratification which so distinguished an honor is calculated to inspire. To be thus noticed by any portion of my fellow-citizens, would command my gratitude; but to be selected to fill so important a trust by an association of gentlemen with whom I have been in no way politically connected, who have not been impelled by their present numerical strength, but by the inherent purity and soundness of the principles that they have adopted and promulgated, to breast the storm of prejudice, and to fall or be sustained by the rejection or approval of them—to be thus distinguished by you elicits from me the warmest gratitude. Accompanying your communication is the “Declaration of Rights, adopted by the State Convention at Utica, Sept. 15, 1836,” together with sundry questions appended thereto, to the first of which you request my assent, and to the latter my answer.

In replying to this portion of your communication, you have a right to require that frank and undisguised response that has characterized your address to me.

I fully concur in the *immediate* practical adoption of the first, second, third, and seventh, sections of the Declaration of Rights; in the principles contained in the fourth, and to be applied as soon as “gold and silver, which is the only safe and constitutional currency,” can be obtained to supply the necessary demand of our country; in the fifth and sixth, unless the enjoyment or participation of every such vested right shall be equally tendered to every member of the community. In regard to the eighth article, I deem that the greatest good of the people, from whom emanates all power and authority, is particularly to be consulted; and that where private interest, although sanctioned by legislative authority, conflicts with the general good, the former must yield to the latter.

In relation to the remaining inquiries, I reply affirmatively to the 1st, 2d, 4th, 5th, 6th, and 7th. In reference (3d) to the election of Judges by the people, and for a limited period of time, the constitution provides that any proposition changing its features shall be presented to one legislature and acted upon by the succeeding; and this mode of ascertaining the feelings and views of the people of this district upon this subject, will be cheerfully sustained by me.

Most respectfully,

F. A. TALLMADGE.

The reader will perceive that, in consequence of the above letter, and of his having signed the Declaration of Principles, F. A. Tallmadge, too, became a Loco-Foco. Oh Proteus! thou art surely the governing genius of modern politicians, for they assume all shapes and

dimensions! F. A. Tallmadge became State Senator, because he had become a Loco-Foco; and he is now Recorder of the city of New York, because he is a thorough-going Whig. But Mr. Editor Noah said that "all's fair in politics," and he's a *Judge*, who has nearly circumnavigated the whole political globe.

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## CHAPTER VII.

Remarks—Sketch of Clinton Roosevelt—Great Equal Rights meeting at Military Hall—Sketch of E. Curtis's speech—Of James Monroe's—Each of the nominations adopted—The General Election—The Result, with remarks on Edward Curtis, Ely Moore, C. C. Cambreleng, Ogden Hoffman, F. A. Tallmadge, Robert Townsend, Clinton Roosevelt—Special Election—Remarks—William Leggett and the Plaindealer—Reflections—His Martyrdom and brief Eulogy.

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Oh world take note  
To be direct and honest is not safe.

SHAKESPEARE.

THE Equal Rights Party of the city of New York had nearly completed its nominations for the November election, before the Nominating Committee of the Whig Party made any nominations. The latter towards the conclusion of its incubation, with the view, probably, of inducing the Loco-Focos to return the compliment, adopted Edward Curtis for Congress, F. A. Tallmadge for the State Senate, and Robert Townsend, jun., and Clinton Roosevelt, for the Assembly. The Equal Rights Party did not reciprocate.

*Clinton Roosevelt*, one of the candidates of the Whig and Loco-Foco parties, is an honest politician of considerable talent and some eccentricity. Many years ago he published a large pamphlet entitled "the Mode of pro-

tecting Domestic Industry by operating on the Currency." His views, at that time considered wild and wrong, are now advocated by the most thinking men in the Union as wise and right. His mind is fertile either to construct systems, mechanical machines, or literary matter. He comprehends the banking system so fully, that he is necessarily one of its oldest and most determined foes, as all good men who understand it, are.

We have now to notice an "overwhelming meeting of working-men and others friendly to Equal Rights, Equal Laws, and Equal Justice, held on Friday evening, Nov. 4, at the Military Hall, Bowery, opposite Spring Street, at which meeting Daniel Gorham was President, and John Commerford, John W. Brown, William E. Skidmore, Isaac Odell, Warden Hayward, John H. Bowie, E. D. Truesdell, and Paulus Hedl, were Vice Presidents, and Levi D. Slamm, John A. Riell, Thomas J. Fenwick, and R. R. Jones, Secretaries." It was truly a large meeting, in one of the largest rooms in the city. Messrs. Curtis and Monroe attended, and addressed the assemblage. The former spoke of Revolutionary reminiscences in his own paternal home. Of his father, a blacksmith, and a patriot of the Revolution. He described the affecting scene of that father's death, and dying charge to the oldest son. He and his audience were deeply moved. Would he, then, the son of a Revolutionary patriot, of a working-man—would he, the orator, ever prove untrue to the cause of working-men, the principles they contended for? No! If he ever did, might his right arm be withered! Here his audience applauded him with every demonstration of applause. He then added, that "some might call him a Whig, but he called himself an Equal Rights Democrat." This latter declaration was taken as an additional pledge to the Equal Rights party.

Mr. Monroe also spoke with great earnestness of the just principles and honesty of the Equal Rights party. It was these considerations that induced him to be a candi

date. His speech was no doubt sincere, and it was well received.

“On motion, the nominations of the Equal Rights party were individually acted on, which resulted in an unanimous adoption of the Gubernatorial, Senatorial, Congressional, and Legislative tickets.”

The General Election took place soon after this meeting. Edward Curtis was elected to Congress by the united vote of the Loco-Foco, Whig, and Native American parties. Eli Moore was elected by the united vote of the Loco-Foco and Tammany parties. C. C. Cambreleng was elected by the vote of the Tammany party and many of the Loco-Focos who voted for him; and Ogden Hoffman was elected by the Whig party and the votes which his professional popularity obtained for him.

*F. A. Tallmadge* was elected Senator of the State by the vote of the Loco-Foco, Whig, and Native American parties.

*Robert Townsend, Jr.*, and *Clinton Roosevelt* were elected to the House of Assembly by the Loco-Foco and Whig parties.

*James Gulick* was elected County Register by votes of all parties. His majority over all candidates was several thousands.

*Isaac S. Smith*, the Equal Rights party candidate for Governor, received throughout the State 3,496 votes, of which about 1,400 were in the city. *Moses Jaques*, the candidate for Lieutenant-Governor, obtained 3,532 votes. The Loco-Foco vote in the city for him was over 1,400.

By this election, the Monopoly Republicans elected only six candidates out of thirteen for the Assembly. They were also defeated with respect to the State Senator, and two of the members of Congress. This was the third blow struck by the friends of Equal Rights against the system of Monopoly, and its upholders; but this last blow was the sorest, for it smote them in the State and nation. Yet the unreflecting portion of the political press, and the gullible readers of the same, could see



nothing in these events, but agrarianism and office-hunting. The Washington Globe, the Albany Argus, and Richmond Enquirer, through policy, behaved according to Bonaparte's description of the Bourbons. The valorous Don Quixotte never belabored the windmill harder than the above-named presses vituperated the Loco-Focos. The latter, however, knew well what they were about, and because they were not blinded by selfish or narrow considerations, they could see where to strike and how to strike the system of monopoly.

Now, gentle reader, you are requested to pause a little, to permit an off-hand summing up to be made, which shall present to your contemplation a prospective synopsis of several years, and the results to some of the candidates elected in the city of New York, in Nov., 1836. First, then, Edward Curtis, the Equal Rights, and Federal Whig, and Native American member of Congress, made his debut at the September Session of 1837, and voted in effect that it was expedient to charter a National Bank, to the amazement of the Loco-Focos, and satisfaction of the Whigs, for which he was again elected to Congress in 1838, by fair means or foul ; but this is best known to those who last supported him. He has had great success politically, being now Collector of the Port of New York, one of the most lucrative offices under the General Government. Had he realized the expectations of the Loco-Focos, would he have reached the office of Collector ?

Second comes Mr. Ogden Hoffman, who formerly stood high in the Republican party, but he left it and became a Whig. He went to Congress at the special Session, 1837, and made, according to the Whig press, a splendid debut in that body. The Democrat of former years voted like a genuine Whig in Congress, and he is now District Attorney of the U. S. for the Southern District of New York, the same lucrative office which was lately filled by Wm. M. Price, who also got it after he had left one party and joined another.

Eli Moore fulfilled his second Congressional term,

and he pleased all his constituents who voted for him ; but in 1838 he was eschewed by the majority of the voters in the November election. Some time afterwards, he was appointed to the office of Surveyor of the Port of New-York, which gives a salary of three thousand dollars per year ; an extraordinary position of profit and honor for a mechanic to reach, in a government where the offices are monopolized by lawyers. But he was not permitted to hold it long, for the election of General Harrison effected his removal.

C. C. Cambreleng, decidedly the ablest member of Congress from this city during very many years, and who fully comprehended its commercial interests and faithfully attended to them, and who is besides a man in whom there is no dereliction of principle. An intelligently grateful mercantile community, holding that the "post of honor is a private station," has *considerately* consigned him to that honorable post.

Frederick A. Tallmadge, (elected by the Loco-Focos and the Whigs, and we believe he was the candidate of the Native American party also, for men of his enlarged capacity can embrace all parties, and all principles besides), went to the State Senate and served his term of years, much to the satisfaction of the Whigs, and but little to the satisfaction of the Loco-Focos. We know not whether he pleased the party of one *little* idea, the Native American, or otherwise. "Blessed are they who hope nothing, for they can't be disappointed ;" and the Loco-Focos had so little hope in him, that they were not violently excited by his course in the Senate. They had adopted him as their candidate, not because they preferred him personally to M. L. Smith, but because they could use him to defeat a candidate of the Monopoly principle.

Robert Townsend, Jr., went to the House of Assembly, as he said himself, from the work-bench ; and he who had worked honestly as a mechanic, knew not how to do otherwise than work honestly as a legislator. He pursued the inexpedient course of voting against all mono-

polies in the house, and Mr. Speaker Livingston attacked both the Loco-Foco principles and their honest representative, and told him he was sure of being only "a one year's man." While in the Assembly, a bill was introduced, giving to the owners of property on Harlem river and Spuytendyvel creek, property worth some millions, which Mr. Townsend, by his own exertions, prevented being done; and notwithstanding his public spirit on this and other occasions, yet the prophecy of Livingston was absolutely fulfilled by a grateful and intelligent constituency.

Clinton Roosevelt went also to the house of Assembly a Loco-Foco, and as his course was of the same character as Mr. Townsend's, he shared the same fate, and turned out to be "a one year's man" likewise.

With regard to the other members of Assembly from the city, elected in 1836, each went with his party in all things, and they did so little of themselves individually to deserve notice, that they are political nonentities, except only when collectively considered, as entering into the mass of a party; consequently the political history of the party is all that is necessary to the reader respecting them, and to that he is referred.

In consequence of a tie between two of the candidates for Assembly, a special election was ordered for one member in December. Morris Franklin was nominated by the Federal Whigs, Elijah F. Purdy by the Tammany or Monopoly Democrats, and Moses Jaques by the Equal Rights party. Efforts were made to induce the Loco-Focos to nominate Mr. Purdy, but he was the candidate of a party which sustained monopoly, and to support him was to support the system. Franklin was elected, and, as usual, contumely and abuse fell to the lot of the Loco-Focos. The latter saw that the chastising would do good, for they knew that all the arguments and clear reasonings in the world would effect no reform in the policy of the Republican party, so long as it was annually elected into power. To defeat it therefore in this respect

was the only way to reform it, by compelling it to fall back upon its original principles which it never fails to do as its last resort, in all its worst discomfitures. In like manner, it is only when the Ottoman Empire is in great danger, that the standard of the Prophet is raised, and then every faithful Mussulman rallies around it.

In the beginning of December, 1836, William Leggett commenced the publication of a new weekly periodical in octavo form, which he named the Plain Dealer. In its arrangement of subjects, it was somewhat after the manner of the London Examiner, a periodical which Mr. Leggett held in high estimation. He spared no mental exertion to make the Plain Dealer worthy of himself and the public patronage. On all public questions, he was guided by the democratic principle, and some of his best written articles are in that Journal; but he wrote no longer with the same Promethean fire as formerly, for it seemed by his latter compositions, as if many years had passed over his head since 1835. The Plain Dealer continued to be published nearly a year. Some time after it ceased, he had intimations from a high source that he could get office under the General Government. He replied that he "could saw wood." He gradually sunk under the effects of that disease which was first brought upon him, or at least aggravated by the excitements, harassments and persecutions of 1835. In that year, he was martyred. The demon spirit of monopoly had condemned him; and the organs of "the party," and the committees of "the party," were but the executioners of the condemnation. He felt the martyrdom at that time, and then told some of his friends, "They are killing me."

Towards the last of his days, through the persuasion of friends, he consented to go to Central America for his health's sake, and an appointment was obtained for him; but it was in vain; the end of the martyrdom was near, and it was but right that the termination should take place in the land where it had its commencement. That great man is no more! We say *great*, because there



never lived a man with more of the true heroic in him, or more truly the hero of the rights of humanity, than William Leggett.

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## CHAPTER VIII.

Park meeting, proceedings, and flour riot—Description and facts respecting it—Address of Committee to the public—Sketches of some members of the Committee—Ming selected as a Victim, but a man not to be Victimized—Whig logic and Loco-Foco syllogism—Another Park meeting, March 6th, in Vindication of Constitutional Rights—Address and Resolutions—Sketch of John H. Hunt—Another Park meeting called for April 3d.

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“As the currency expands the loaf contracts.”

LOCO-FOCO BANNER.

THE month of January, 1837, presents nothing worthy of note in the annals of the Loco-Foco party. About the beginning of February, the high prices of the necessities of life were severely felt by the working population of the city, and discontent was extensively prevailing, especially towards the flour dealers; and the Loco-Focos were up against Bank Monopolies, which afforded facilities to speculators. In old times, the price of a bushel of wheat was paid to the working man for each day of his labor, so that he was no sufferer, when wheat rose in price; but in modern times, the high price of the staff of life, works no increase of wages of labor. It was alleged in 1837 that the shortness of the crop was the cause of flour being up as high as fourteen dollars a barrel; but there was no shortness of crop in coal, and that was up to fourteen dollars a ton; neither was there a shortness of crop in houses, and yet a great increase of rent was demanded.

Making all reasonable allowance for shortness of supply, there was another cause at work. A portion of the high price in all the necessities of life could be safely

charged to the working of the bank monopoly system. Loco-Focoism shed some light upon the cause, and by a single sentence gave a solution as ample as a volume could furnish, namely "As the currency expands, the loaf contracts."

Ever vigilant in its opposition to all monopolies, the Equal Rights Party seized the present occasion as favorable to its constant object, to overcome its enemy. With this view, and to strengthen itself in public opinion, a meeting was called in the Park by large bills posted throughout the city, as follows:

### BREAD, MEAT, RENT, AND FUEL!

*Their prices must come down!*

☞ The VOICE of THE PEOPLE shall be heard and will prevail!

The people will meet in the Park, rain or shine, at 4 o'clock, P. M., on Monday afternoon, to inquire into the cause of the present unexampled distress and to devise a suitable remedy. All friends of humanity determined to resist monopolists and extortioners are invited to attend.

MOSES JAQUES,	WARDEN HAYWARD,
PAULUS HEDL,	DANIEL GORHAM,
DANIEL A. ROBERTSON, ALEXANDER MING, Jr.	
JOHN WINDT.	

The afternoon of the 13th Feb., 1837, was intensely cold and extremely windy, and yet the meeting in the Park presented a dense multitude of many thousands. The venerable Moses Jaques was chosen Chairman, and there was he, who had seen over sixty winters, standing on a platform the most exposed to the inclemency of the blast, his countenance expressive of that righteous benevolence, which told us plainly as the hand of God could write it on the face of man, that his heart was with the people, devoted to the cause of humanity. Alexander Ming, jun., ever one of the foremost in the same cause, addressed the people with his usual fearlessness of consequences to himself. He told them that the resolutions in his hand traced the present state of things to the right cause, "Our monstrous banking system." That the

banks were the oppressors of the poor, for they fostered speculations in real estate, which raised rents, and they afforded facilities to forestalling of provisions, which raised the prices of the necessities of life. But he exhorted his fellow citizens to seek peaceful remedies for public grievances, "to do no act which might bring into disrepute the fair fame of a New Yorker, the honor of a citizen of this Republic, or the character of man." He then proceeded to read the following preamble, and a series of resolutions, some of which are selected.

#### PREAMBLE.

When in the course of human events it becomes necessary for the many to declare hostility against the rapacity of the few, who wilfully impoverish and oppress them, a decent respect for the opinions of mankind demands that those grievances should be recited which impel the great body of the people to speak the sentiments and energetic language dictated by the first law of nature—self-preservation.

Whereas, then, it is self-evident that with a sufficiency of provisions and the necessities of life in our country, we are nevertheless at this period in the *midst of famine*, and threatened with a continuance of the same. Every article of necessity—bread stuffs, flesh meats, fuel and house rents, are at exorbitant rates; and an increase is demanded beyond the means of the working and useful classes of the community. Conspiracies, combinations, and speculations have been fostered until an unnatural state of things exists, jeopardizing human life itself—the liberties, independence and happiness of the people; but before remedies can be devised for evils which afflict the body politic, the root from which those evils emanate must be laid bare. (The voice of the people emphatically declares, and facts demonstrate, that our monstrous banking system is the prime original cause of the present state of things.) Banks have fostered extravagant speculations in real estate, and consequently the enormous increase of rents. Their extraordinary issues and accommodations have enabled forestallers to buy up and hoard up all the provisions in the land, and consequently to extort any price their horrible avarice demands. Therefore,

*Resolved*—That we view the power exercised by banking companies in controlling the currency of the country as unconstitutional, and "more dangerous to the liberties of the people than that of a standing army."

*Resolved*—That the system of finance in general use, and upon which the revenues of ALL our public bodies are at present raised, ought to be abolished with the least practical delay, and in place thereof a system of direct taxation substituted; that our present vicious system has been the prolific parent of national debts, state

debts; city, corporation and town loans; that from these have sprung a species of taxation, so subtle and indirect in its operation, that it is difficult to trace it through all its ramifications and passes to its ultimate abstraction of a large amount of our property, and terrible infringements on our rights and liberty; that, from the means thus covertly taken from us, have sprung up among us, and over us, ALL those odious monopolies, and iron bonds upon the free exercise of our liberty by which we are bound, robbed, oppressed and insultingly derided.

*Resolved—That the true remedy for the people, which will reduce the price of all the necessities of life is, that every workingman refuse paper money in payment for his services, or demand specie of the banks for all notes paid to him.*

The following memorial was also adopted by the meeting:

*To the Legislature of the State of New York, in Senate and Assembly convened.*

The Memorial of the Great Public Meeting of the Citizens of New York, convened in the Park, on Monday, February 13th, 1837, represents:—

That your memorialists are suffering under a vast accumulation of distress and privation, produced by that curse of modern times and modern legislation—the Paper Money System. Wrong in principle, and unconstitutional in its existence, its pernicious influences, moral and political, have long been felt and deplored; but it has been reserved for this period to show how great an amount of misery it is capable of inflicting upon a people. By its “stimulants,” gambling speculators have raised the prices of real estate to such a height, that rents are beyond the means of the honest and industrious classes; by its “facilities,” avaricious monopolists have obtained possession of a large proportion of the necessities of life, and are demanding the most exorbitant prices; whilst its effects on the people, in a national point of view, are equally disastrous, by the high nominal prices it has produced, through which the industry of the farmer, mechanic, manufacturer and laborer is sacrificed, for the benefit of the tyrants of Europe! Connected with the great fraud of Paper Money is the system of Public Finance, now so generally in vogue in this country, from State Governments down to Village Incorporations, consisting of the creation of stocks, loans, and other forms of debt, which result in the abstraction of an enormous amount, in various indirect ways, from the pockets of the people; and tend to carelessness, extravagance, and waste of the public money, and consequently increase the burdens of the citizen.

In view of these premises, your memorialists earnestly pray:—

1. The speedy prohibition of all bank notes under the denomination of one hundred dollars.
2. The abolition of all indirect taxes, and the system of finance



resting on public debt; and in lieu thereof, substituting direct taxes on real and personal estate.

3. The abrogation of all inspectorships over articles of commerce.

4. The repeal of all laws under which the Common Council of the City of New York restrain or prohibit the freedom of trade; and all other laws by which they levy indirect taxes on the people.

The grievous burden of indirect taxation imposed on your memorialists by the Paper Money and Banking System of the State—probably far greater than that paid by them into both the National and State Treasury, and for which they receive nothing but oppression and misery—urges them to pray for an early attention to their case.

By order of the meeting,

M. JAKES, President.

These proceedings had scarcely been approved of by the assemblage, when a stream of population, which had come down Chatham street, entered the Park, and then a man mounted the platform and addressed the multitude. His speech was directed against the flour dealers, and he added “go to the flour stores and offer a fair price, and if refused, take the flour.” No sooner had he uttered those words, than the president of the meeting, Mr. Jaques, interposed promptly, and with the assistance of the officers of the meeting pulled him off the stand. The meeting then peaceably adjourned. But according to Mayor Clark’s statement some one cried out “Hart’s flour store;” and said a neutral paper of that period, “a body of nearly one thousand persons separated from the general mass, and proceeded to Washington street, and commenced an attack upon the store of Eli Hart and Co., the well known flour merchants of 173 & 175 of that street, completely filled from the floor to the ceiling, from the basement to the roof, from the front to the rear, with barrels of flour and bags of wheat.”

“The store was soon entered,” Mayor Clark states, “barrels of flour thrown out and dashed to pieces in Washington street. Mayor Lawrence with a few officers repaired thither, but he and they were driven away. In a short time the mob had undisputed possession of that vast storehouse. Many of Mr. Hart’s books and papers

were seized, torn and scattered along the public streets. One of the Journals of that day stated that Mr. Hart's loss was about 500 barrels of flour and 1000 bushels of wheat. This is probably a high estimate."

"There were depredations committed on the same night on other flour stores in the city. Fifty-three of the rioters were apprehended by the police."

A portion of the city press would not let such a chance escape of attaching infamy to the Loco-Focos. Alexander Ming was falsely charged with having uttered the words, "go to the flour stores and offer a fair price for flour, and if refused, take the flour." The portion of the city press alluded to, is that which is subsidized by the advertising and other patronage of the monopoly and commercial aristocracy. Such a mercenary press, ever anxious to show its vassalage to the interests of its lords, is always up, and more eager to oppose reform and reformers than its masters are themselves. Hence those venal presses were only laboring in their vocation when they slandered and reviled the Loco-Focos, who were reformers contending for just principles, and not flour rioters.

But it afterwards came out, as stated by the Journal of Commerce, which sometimes gives sudden emissions of conscientious acknowledgments, that "a letter was found in the Park some days before the meeting took place, addressed to Mr. H. Lennox by an anonymous person, informing him that the store of Hart & Co. was to be plundered one of these nights by a large party of men, and that in order to enable them to carry their design into execution, two alarms of fire were to be given, one near the Battery, and the other higher up the city, and whilst the watchmen and police were assembled at these two points, the conspirators were to break open the store and carry off the flour. The letter was brought to high constable Hays, who showed it to Hart & Co. Besides this, other anonymous letters of a similar import came to

the Mayor, who caused the contents to be made known to Hart & Co."

Of the fifty-three rioters arrested by the public authorities, *not one* was a Loco-Foco. Had there been even one, it would have gone forth from the city press to the whole Union as proof against the whole party. Besides, the latter appointed a committee to examine the rolls of names of the members of the party, with the view of expelling any guilty member, and not one was found. How could men who were strenuously contending for Rights, be the perpetrators of wrongs? Above all these facts, the whole history of the party was proof, that it was against monopolies by legislation, and especially banks, that the Equal Rights Democracy were contending; and the last resolution passed at the Park meeting was "*that the true remedy for the people, which will reduce the price of all the necessaries of life is, that every working man refuse paper money in payment for his services, or demand specie at the banks for all notes paid to him.*"

The Committee which called the meeting in the Park, published the following defence.

FELLOW CITIZENS :—

The undersigned publish, as an act of justice to themselves, as citizens of this community, the following as an answer to the many unfounded reports which have appeared in the public prints of this city, relative to our motives and acts at the meeting of citizens held in the Park, on the 13th instant. We trust that the papers of this city will no longer be held as the index of the public morals.

We were appointed a Committee by a meeting of citizens previously held at the Military and Civic Hall, Bowery. In pursuance of such appointment, notices were published in several of the papers, and by handbills, inviting the people to assemble in the Park, and inquire into the causes of the present high prices of living, and to propose a remedy.

The people assembled at the time and place, and patiently and in a most peaceable and orderly manner heard the preamble and resolutions read, which they unanimously adopted. The memorial was then read, and ordered to be signed by the officers of the meeting, and forwarded to the Legislature of this State. The meeting then adjourned, after having been advised to retire peaceably to their homes; and we had every reason to hope and expect that they would do so, as there was not the least disposition manifested while in the

Park either to riot or disorder. The "right of the people peaceably to assemble, and to petition the government for a redress of grievances," is guaranteed to us by the Constitution of the United States. For the riots that ensued we can be no more accountable than the framers of the Constitution by which that inestimable right is secured.

We do not expect our motives and actions to be duly appreciated at this time of excitement, when the hireling presses of the different factions are vying with each other by abuse and misrepresentation to break up a party who are advocating the Equal Rights of the People, and which will, if not destroyed by the treachery of pretended friends, ultimately obtain the ascendancy in this State and the Union. We fear no moral force, for that is with us; nor can we be deterred from our duty by physical force, though we may be temporarily injured by it. We court no sympathy or indulgence from the public, nor forbearance of the press; but we demand our rights as citizens of this once boasted land of freedom; we ask the equal justice guaranteed to us by the Constitution of the United States, and secured to us by the charter of the State of New York.

MOSES JAQUES,	DANIEL GORHAM,
PAULUS HEDL,	JOHN WINDT,
DANIEL A. ROBERTSON,	ALEXANDER MING, jr.
WARDEN HAYWARD.	

Moses Jaques, Alexander Ming, jr., and John Windt, have been already personally introduced to the reader. The other members of the committee are now presented.

*Paulus Hedl* has lived in the city of New-York nearly forty years, and so upright and blameless has been his conduct, that he has not a personal enemy, though few men have had more intercourse with their fellow citizens. It would not be easy to find in any part of the world, an honester man and a more ingenious mechanic than Paulus Hedl. Excellent as a draughtsman, skilful as a practical workman, he stood at the head of the business he followed, the originator of the ornamental and fancy iron railing and palisading for which New-York has been distinguished above any city in the Union. So just a man could be nothing else in politics than a Loco-Foco.

*Daniel Gorham* is as good-natured a man as can be found in the ordinary range of city life; so much so, that he never sees the dark side of men or things, for he thinks no harm of others, and naturally concludes that others think no harm of him. No one looking in the man's



face could for a moment suppose him a flour rioter ; to impute such a thing to him would provoke his hearty laugh, for he would take the imputation as a joke. He is the father of a numerous family, and has been a grandfather for several years.

*Daniel A. Robertson*, a young man of genteel manners and appearance, and of respectable character. He is now (1842) the Editor of a periodical in Cincinnati in the State of Ohio, called "the Elevator."

*Warden Hayward*, the father of a numerous family, —some of his children are grown. A man more disposed to obey the laws of his country does not exist ;—in fact it would be difficult to find one more of a stickler for Constitutions, laws and rules than Warden Hayward. His religious sentiments have contributed to make him a devotee of Loco-Focoism, which he construes to mean Christian Equality and constitutional Liberty. His enthusiasm in the cause is of the quiet kind, in consequence of his natural diffidence ; but it is intense and permanent.

Reader, were you to go into any church in Christendom, you might around the altar find seven as good men in a social and moral point of view, as M. Jaques, P. Hedl, Daniel Gorham, John Windt, Alexander Ming, jr., D. A. Robertson, and Warden Hayward, but you could not find seven men possessing in the aggregate, more moral worth, more mental capacity and respectability of character ; and notwithstanding these considerations, they were accused of getting up the flour riot.

No Loco-Foco was arrested, nor could suspicion be fixed on any member of the party, of being concerned in the flour riot, and this was very provoking. Nevertheless a Victim was wanted, and one, too, who must be a Loco-Foco. Ming was the only one that could be got at ; his name was published under the call of the meeting ; he had figured popularly at it, he was an office-holder : and here then was the man for the Collector of the Port

(Samuel Swartwout)\* to show his public spirit upon, and an opportunity to please the merchant princes, or at least the presses they had subsidized.

Ming was turned out of office at once. It is an old trick of aristocracy to inflict suffering on the wife and children, in order, by this mode of torture, to break the spirit of independence in the husband and father. The trick failed, however, this time, for Ming's spirit would neither break nor bend. He addressed the head of the department at Washington:—"In being *suspected* in the remotest manner, as the instigator or abettor of a mob, —I am slandered in my moral and political character, slandered as a citizen, as a husband, as a father, as a man." "All I ask, all I would demand is common justice. If the holding of a subordinate situation under the government,—this free, equal American Government, I may not peaceably assemble with my fellow-citizens to petition for a redressal of grievances, then my taking of office deprives me of constitutional rights, and I'll none on't."

"No! I cannot, will not believe, that an administration, democratically formed and democratic in its practice and assertions, will thus permit a democrat to be sacrificed on the shrine of Oligarchy." This was the indignant language of a man, with the spirit of manhood in him, and it could not be evaded or disregarded. He was reinstated.

Still there were men who had made up their minds that the Loco-Focos were guilty, notwithstanding every proof to the contrary, and they would not be so fallible as to change an opinion. These men asserted it as an infallible fact, "that if the Loco-Focos had held no Park meeting, there would have been no flour riot." This accusation was met at an Equal Rights meeting with becoming gravity by Resolutions, "that if there had been no Park for the people to meet in, or if there had been no people to assemble

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\* He in the summer following went to Washington in behalf of the merchant princes. He came near being Whig candidate for the vice presidency.

there, no public meeting would have taken place. That the people should be shot down, and the Park laid off in building lots and sold at auction to prevent all Park meetings in future, and consequently, all flour riots."

However, "that the best way to prevent riots, is to remove the causes, and as the men who called the meeting, were undoubtedly the cause of the high prices of bread, meat, rent, and fuel, that they should therefore be removed by extermination."

Nothing daunted by what had occurred, nor by threats of military force in the event of another Park meeting, the Equal Rights party called one for the 6th of March, declaring "that it was a constitutional right of the people to assemble for a redress of grievances. That to array the Police, or to order out the uniformed Militia for the purpose of intimidation was unconstitutional. That the strongest force was moral force, and that each citizen attending the meeting should voluntarily aid in the preservation of the peace, and therefore be watchful as to any overt acts of the armed levies, against the people." The Park meeting of the 6th of March was much more numerous than that of 13th Feb. By some it was estimated at forty thousand persons, and was certainly over thirty thousand. Alexander Ming was the presiding officer of the vast congregation, by the unanimous voice of all present. He made an excellent speech, which was received with acclamations of applause by the multitude. The following Report from the Committee chosen for the purpose, was then read and unanimously adopted.

"The Committee appointed at a former meeting to report on the causes of the present high prices of provisions, rent, and fuel, submit the following

#### REPORT.

To explain fully the causes and operation of any evil under which the community may be suffering, it is necessary to call attention to the constitution of society itself.

If society were in its natural state—if each man were permitted to exercise, untrammelled, those rights and powers with which the God of Nature has endowed him—high prices could be produced only

by *scarcity*, and scarcity only by bad seasons, war, or other calamity, or improvidence.

But our people have not been at war; they have not been unusually wasteful or lazy; they have had but little sickness, save that heart-sickness which must ever be felt by all who are conscious menials of speculators and drones; and even admitting that the season was as unfavorable as interested persons pretend, there certainly has been no blight or mildew sufficiently destructive to cut off our coal mines, or create a scarcity of lots and houses. We must therefore look to other causes; and as the true ones are plain and simple, we will state them in plain words.

In perhaps all densely peopled countries, that earth from which everything must draw its subsistence is considered the exclusive property of a chosen few, not one in fifty having the legal right to plant a fruit tree or a potato patch to keep his family from starving.—Those who are thus excluded from the common bounties of the great Creator, are consequently compelled either to return the glorious gift of life, or else to support it by selling their strength and skill—their only property—to the highest bidder. The price of strength and skill, or labor, is naturally governed by the relative number of those who are struggling to sell, and those who wish to buy. In a new country, where the possessors of strength and skill are greatly needed to erect mills and dwellings, and to fit the wilderness for the cultivator of the ground, they enjoy nearly as much of the fruits of their labors as the land owner, and are esteemed according to their virtues. But the forest once subdued, their services become less needed, while their numbers continually increase; and the landowners, no longer eager competitors for the services of the laborers, are surrounded, and courted, and flattered, by miserable competitors for servitude.

“The strength and skill of the surplus poor is next directed to manufacturing and the mechanic arts; and a similar round is travelled on a new course. It is not long since an expert artizan could earn the price of a barrel and a half to two barrels of flour per week; yet now we see before us only the prospect of being slaves so long as we are able to toil, and paupers when we can toil no more. To make matters still worse, our own poor are forced to compete in every way with immense numbers of foreign poor, who have severed the ties of country and home, hoping to acquire here, by their industry and skill, that independence which their industry and skill could never buy in the land of their fathers, but who find themselves doomed to share and to augment our evils.

“But there is another great cause of high prices, so monstrous in its nature, that we could hardly credit its existence, were it not continually before us: we mean the curse of *Paper Money*. Gold and silver are produced from the earth by *labor*; they are (or ought to be) earned from the producer *by labor*; and the man who has earned a portion of these metals by honest labor, harms no one by selling them *for labor* to others. No man, nor combination, can by Christian means collect a sufficiency of these metals to enable him to engross



the food, or fuel, or houses of a nation ; but a leagued band of paper-promise coiners, exert absolute control over the whole wealth of a country ! They can print off the nominal value of our whole wheat crop in a few minutes ; and as they draw compound interest on all the DEBTS they owe, the more they owe, the greater their income, and the more absolute their power.

But your Committee will dwell no longer on the causes of those evils which render the life of the laborer a curse to be borne, instead of a good to be enjoyed ; and we will conclude our task by suggesting the following remedies, which, if not sudden, will prove sure :

First. That we continually combat both in ourselves and others, that ignorance and mental laziness which has so long rendered the workingman a dupe and a slave.

Second. That we cease to confer political power on speculators and drones, or their tools and confederates.

Third. That in order to put an end to the banking system, and the whole power of false capital, we so alter our laws as to render all debts hereafter contracted, simply debts of honor, and thus give the advantages of credit to honest industry, instead of allowing those advantages to be monopolized by these best skilled in grinding the poor.

*John H. Hunt*, the author of this report, is one of the most ultra of democrats in all his principles, differing in this respect from all his kindred. One of his brothers is at this time member of Assembly from Alleghany County, a strong Federal Whig. *John H. Hunt* is, besides, the author of several able productions which have appeared in print, either in pamphlet form, or in the newspapers, and the reader is referred to a very extraordinary pamphlet from his pen lately published, entitled the "Slavery of Poverty." He is not easily excited into action, but is not difficult to be put in the thinking mood. Unlike, however, the greater number of thinkers, who wish to express all their thoughts, the peculiarity of his mind is to concentrate all his thinkings into some abstract which shall "tell the whole story." His abilities and moral worth should place him in the front rank of the Democratic party ; but such a man cannot be made a tool of by those who get up candidates for the people, i. e. the pettifoggers of politics.

After the adoption of the Report, the following Resolutions were read and adopted.

"Whereas the banking system of the states of the Union, and more especially the safety fund bank combination of the State of New-York, is a hydra-headed monster, preying on the useful classes of this community, impoverishing the great body of the people, defeating the proper exercise of their rights and liberties, subverting the Constitution of the United States, and the vital principles of Democratic Republican government,

Therefore, We declare it as our solemn belief, that the bank oligarchy is the worst that ever existed upon the face of the earth; because it is founded on avarice, the basest of all human passions, and the one of all others that has the least regard for the benign precepts of religion, or the happiness of the human race.

That banks are, in fact, legally authorized banditti, levying contributions and indirect taxation from every honest business, filching from the industrious the fruits of their labor, and making the rich richer and the poor poorer.

"That they have wickedly and cruelly encouraged speculation, forestalling, and extortion, in such articles of necessity as *bread*, *meat*, *rent*, and *fuel*, thereby 'grinding the faces of the poor.'

"That they emit 'bills of credit,' called bank notes, in open violation of the letter and spirit of the Constitution of the United States; and the prerogative of regulating the currency is unconstitutionally and capriciously exercised by them, through the means of expansions and contractions.

"That men of business are in abject vassalage to them, for 'the debtor to a bank is a slave to it;' and that our virtuous working people, instead of thriving by their honest labor, are, year after year, sinking deeper into poverty and bondage.

"That 'they have corrupted that class of society from which our legislators are drawn;' for our governors, legislators, and judges, are bank officers, and indebted or interested in those institutions; and therefore they no longer hearken to the voice of the people.

"That their influence over the public press is dangerous to the spirit of liberty, for the power of the *purse* and the *press* is so clearly in their hands, that the language of political truth and public-spirited independence is stifled and suppressed, if adverse to the interests of the bank oligarchy!

"That the effect of banks on the community is to create the necessity for alms-houses and state prisons; to make business men gamblers, bankrupts, knaves, or vassals, and working people slaves, paupers, or felons.

"That the substitution of bank notes in the place of specie, has raised the nominal prices of all things so high, that European nations, notwithstanding the oppressive taxation they labor under, can bring their goods across the Atlantic, and undersell us in our own markets.

"That in consequence of this, most branches of industry are not sufficiently remunerated—the nation is made dependent on foreign manufacturers, and the growth and prosperity of this country materially checked.

“Therefore, *Resolved*, That it is the duty of every philanthropist, of every patriot, and of every moral man, to exert his veto against paper money, that stupendous fraud, the bitter fountain of an incalculable amount of political, moral, and social evil.”

And again were the people called on to go to the Banks and demand specie for their notes.

“*Resolved*, That the ‘People’s VETO’ is to demand of the banks gold and silver for their ‘promises to pay,’ and thus make these soulless corporate extortioners pay their debts to the people as promptly as they compel payment from the people.”

This immense meeting conducted itself with perfect order and decorum, and on its adjournment quietly dispersed.

On the same evening, at a public meeting at the Military and Civic Hotel, the Loco-Focos passed indignant Resolutions against the public authorities for “anticipating a riot and disgracing our citizen soldiers by placing them in the situation of policemen, and keeping them under arms to intimidate their fellow citizens assembled in the Park for a redress of grievances.”

“*Resolved*, That we, the Equal Rights party, citizens of this Republic, will hold another public meeting in the Park, on the first Monday in April next, in order to ascertain whether or not this community is under martial law.”

The following resolution was also unanimously adopted :

“*Resolved*, That we have implicit confidence and faith in the integrity of Robert Townsend, Jr., and Clinton Roosevelt, and while we award to them the meed of praise for their adherence to our principles, we cannot refrain from passing our unanimous censure upon the conduct of G. W. Patterson, member of Assembly from Livingston county, whose whole course has been in opposition to the friends of Equal Rights.”

The ensuing chapter will show the bearing of this latter resolution.

## CHAPTER IX.

Memorial to the Assembly in relation to the selection of the Bank Investigating Committee—Ungenerous suspicions of the House respecting Mr. Roosevelt—A Committee to investigate the Memorialists appointed—M. Jaques and Levi D. Slamm summoned, but they require their expenses to be paid—Sergeant-at-Arms despatched to arrest them—They are arraigned for contempt of the House—Proceedings and Reprimand—Arraigned again for a second contempt—Messrs. Jaques' and Slamm's Protest—Proceedings—Profound Resolution of Mr. King—Slamm conforms and is discharged from custody—Jaques alone at the bar, addresses the House, and gives it a constitutional reprimand—End of the affair, with remarks on the meanness of the House of Assembly.

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"What is the matter? Horrible!  
Have you not heard nor dreamt?  
The House—the House at Albany  
Is treated with contempt!"

Soon after the commencement of the Session of the Legislature, in January, 1837, Mr. Roosevelt, one of the two Loco-Foco members of Assembly from the city of New-York, moved for the "appointment of a special committee, with power, &c. to inquire into certain usurious practices charged against the banks of this State." This motion was unanimously adopted, but second thoughts pointed out the impolicy, if not danger, of suffering a known enemy of the banking system to take the lead in such an important matter, to be its chairman according to parliamentary usage; one who would thoroughly investigate the banks and bring in a Loco-Foco Report to shed light to the whole people would never do. Therefore, when he subsequently called up the motion for specific action, it was laid on the table at the instance of Mr. King.

But this mode of disposing of the subject was calculated to confirm suspicions respecting the "institutions to which we were indebted for all our unexampled prosperity," and to shake that public confidence without which



they could not exist. Mr. Cutting, in two or three weeks afterwards, submitted resolutions to the same effect as Mr. Roosevelt's, but sufficiently verbose to make a great parade. These were adopted, and the investigating committee appointed by the speaker, with Thomas G. Talmage, a director of the Lafayette Bank, for chairman, which turned out to be as intended, one of the veriest bank white-washing committees that ever was chosen.

"The Equal Rights Party, strongly partaking in the general indignation at what they thought was legislative chicanery," sent the following memorial "to the Speaker and members of Assembly."

"Your memorialists, inhabitants of the city of New-York, respectfully present the following remonstrance to your honorable body, on the subject of the appointment of the members of the Bank Investigating Committee.

"They, with others of your constituents, in all parts of the State, are of opinion that the duties of the said committee are such as indispensably require men of capability and independence, equally as regards Banks, their direct power, or indirect influence.

"Your memorialists earnestly but with due deference to your honorable body, express their great dissatisfaction at the appointment of any bank officer as chairman, or of any man interested, connected or indebted to banking institutions, as a member of said committee; and whether such appointments proceeded from good or evil design, the result will be the same to the banks and the people, to render the investigation totally nugatory, a thing full of sound, but in reality signifying nothing.

"Besides, there is a member of your honorable body to whom justice has not been done in this matter. Mr. Roosevelt was the original mover for this investigation, and by parliamentary usage, by propriety and by courtesy, should have been placed on the committee, more especially as it does not appear that he attempted to influence the speaker, either privately or publicly. Great, however, as the injustice is to him, it is still infinitely greater to his constituents, and to the whole people of the State.

"We, therefore, your fellow citizens, deferentially and as we think justly remonstrate against the appointments which have been made of the members of this Committee. When we recollect the prediction of a committee of the legislature of 1818 that 'Members of Assembly will be indebted to the Banks for their Seats in the Capitol,' we feel it our duty to ask for an efficient disinterested independent Committee. When we call to mind the words of Jefferson in relation to the principles of the Bank aristocracy,—that they are unyielded and unyielding, that they have taken deep root in the hearts of that

class from which our legislators are drawn,' we the undersigned declare the necessity for searching vigilance and republican jealousy as respects Banking institutions, and therefore we again ask of your honorable body an efficient disinterested independent investigating Committee in order that justice may be done to your Constituents, the people."

Soon after the presentation of this memorial the suspicions of some of the members were excited as to a portion of the signatures on a piece of paper attached to the bottom of the memorial. These high-minded legislators suspected that, as they had acted meanly towards Mr. Roosevelt, he on his part had the meanness not only to be author of the memorial himself, but that he had also cut off the piece of paper mentioned from some other document and attached it to this one. The names of James Kent and William J. Bayard were on this piece, the first a paver, the latter a carpenter. How could legislators, admirers of Chancellor Kent, conceive of any other James Kent in the world? How could it be supposed that the name of an eminent merchant deceased could have been affixed fairly to such a memorial?

This was a tremendously dark and mysterious matter, and it must be investigated. Accordingly a special committee was chosen, consisting of Hon. G. W. Patterson, the Hon. Mr. Westlake, and the Hon. Thomas W. Tucker, with powers to send for persons and papers.

With all despatch possible, "the select committee, through the Sheriff of the County of New York, served on Moses Jaques and Levi D. Slamm, two of the signers of the petition, a summons to appear before the committee on the 25th of February, at the capitol in the city of Albany, to testify what they knew relative to the petition."

Messrs. Jaques and Slamm sent the following reply to G. W. Patterson, the chairman.

NEW YORK, Feb., 1837.

Sir—We have received a summons signed by you to appear at the capitol in the city of Albany on the 25th February to testify what we know relative to that petition.

It would afford us particular gratification to attend agreeably to the summons, but we must first be provided with the means to defray the expense of our journeying to and from Albany and while there. As soon as we are thus provided, we will attend.

Yours respectfully,

M. JAKUES,

LEVI D. SLAMM.

The special committee reported to the House, and Messrs. Jaques and Slamm were pronounced guilty of a wilful contempt of the House of Assembly. The Sergeant at Arms was instantly despatched with a warrant to arrest them. They were taken prisoners to Albany, and on Monday, the 6th of March, they were arraigned at the bar of the House.

After some debate on a resolution by Mr. Hackley to appoint a select committee to conduct further proceedings, the speaker appointed Messrs. Hackley, Ogden and Van Tuyl. This committee sat and incubated the following interrogatories, to be put to the prisoners.

1st. "Were you subpoenaed to be and appear before the Committee of the House to whom was referred the petition of M. Jaques and others, and if so, did you attend in obedience to the exigency of said subpoena?"

2d. Did you ask the advice of counsel in relation to it, and if so, who was such counsel, and what advice did he give you?

3d. What reasons can you assign for not complying with said subpoena? If any, state the same particularly?"

M. Jaques requested copies of the questions, that he might have leave to answer them in writing. He was not disposed to do or say anything to compromit the rights or interests of himself or others, and he wished to proceed with due caution. His request was granted.

On the 7th they were again brought before the House. Again there was more debate on this weighty matter of state. The speaker at length put the questions to the prisoners, who stated they were willing to waive their objections and answer the interrogatories.

M. Jaques, in reply to the first, said that "he had received the subpoena, but did not attend."

To the second,—“ he did not perceive that it had any relevancy to the matter at issue. However, he did not consult counsel, nor did he require to be informed that he was bound by the law of the land when constitutional.”

To the third,—he adduced the letter already presented to the reader. To this he added, “ that he was still under the impression that in all cases where the attendance of witnesses is required to travel beyond the limits of the county in which they reside, the party requiring such attendance is obliged to defray the expenses.

“ That by the rules and regulations of the House of Representatives of the United States, it is necessary that all writs, warrants, and subpœnas issued by order of the House, should be under the hand and seal of the speaker, and attested by the clerk.

“ That the subpœna served upon him was signed by the Chairman of the committee, and as he knew not of any rule of this house differing from the above, his honest convictions were that it was irregular, and therefore he was not bound to obey it.

“ That the frequent encroachments upon the constitutional rights of the people, by party legislation and a recurrence to British precedents, have awakened a necessary and laudable jealousy at the least appearance of further invasions of their rights and liberties. Therefore, in order that no act or precedent whereby his own, or the rights and liberties of others may be affected, he most respectfully requested that the house furnish the constitutional authority, if any there be, by which it is clothed with power to issue its warrants commanding the sergeant at arms (he not being a ministerial officer of any court) to arrest private citizens and take them forcibly from their homes, their families and their business, at any time, and under any circumstances, and arraign them at the bar of this house to answer for offences, in his humble belief unknown to the constitution of the United States, or of this state, but in derogation of both.”



Levi D. Slamm took the same ground, in his answer, but with a little admixture of domestic sentiment.

Mr. Hackley offered a resolution that Messrs. Jaques and Slamm had been guilty of a wilful contempt of the authority of the house ("the honor and dignity of which," in the words of Thomas W. Tucker "must not be compromised"), and that they be brought to the bar of the house and be reprimanded by the speaker.

And hereupon a sensible debate took place among these sage legislators. The criminals were desired to rise, and then the speaker performed that farcical ceremony called the

#### REPRIMAND.

"It is with painful emotion that I proceed in the discharge of the duties of the Chair, to convey to you both, the censure so clearly indicated by the resolution which has been this instant adopted by this House. By your own confessions, you have been convicted, in the judgment of this House, of a wilful contempt of its authority, in refusing to obey the MANDATE issued by a select committee of its members, in the regular and legal discharge of the duties imposed on them by a deliberate vote of this body. As a part of the law-making power, the Assembly justly view with jealousy any attempt to evade or violate the supremacy of those laws which they, in an especial manner, are now called upon to assert and enforce. That you were bound to obey the injunction of the subpœnas served on you respectively, there cannot be a doubt; and to suffer the disobedience of which you have both been convicted to go unpunished, would, in a land of laws, have been productive of incalculable evil; particularly as one of you (I allude to Mr. Jaques) appears to be advanced in years, and, from what has been said on this floor, has not only enjoyed the advantage of having been well educated, but has a large stake in the maintenance of law and order; and because you, Mr. Slamm, though younger in years, have exhibited before this House proof of intellectual endowment, which cannot fail to gain for your opinions and conduct an influence which they would not otherwise carry with them. These circumstances, while they aggravate the force of bad example, at the same time leave you without excuse or apology for refusing obedience to the requisitions of the law, of which every citizen is presumed to be, and of which you doubtless were, apprised. In compliance with the order of the House, it devolves on me to reprimand you both for disobedience to the well known laws of the State, upon the strict enforcement of which so much depends, and for the contempt of the House, which has been so clearly proved against both of you. I do, therefore, in virtue of the authority of the House of Assembly, and in its name, reprimand you for your con-

duct; and I trust that this just exposure and admonition may prove a useful lesson to you, and all others, from a like attempt to set at defiance the laws of your country.

"At fifteen minutes before three o'clock, the House, pending a motion by Mr. Patterson directing the Select Committee to proceed to summon Messrs. Jaques and Slamm, adjourned.

Thus ended the trial for the first *contempt*! during which the Assembly assumed powers not delegated by the constitution, but expressly prohibited by that sacred instrument, *which the members had sworn to support.*"

But the farce did not end here, for the memorial had yet to be investigated; and Mr. Roosevelt's participation in it had yet to be developed. The house had satisfied its honor and dignity, and now its suspicions must be satisfied. Messrs. Jaques and Slamm were quickly summoned before "the select committee of which G. W. Patterson was chairman" to testify in relation to the suspected petition.

Messrs. Jaques and Slamm appeared before the committee, but they refused to testify except on certain conditions namely, that the committee insert in their minutes a PROTEST containing the opinions of Messrs. Jaques and Slamm in regard to the unconstitutionality of the whole proceeding on the part of the house—a DISCLAIMER of the right or authority of the legislature to act in the premises, and that their evidence shall be taken with the full understanding that it is given voluntarily.

The Committee was perplexed. Was there not something even more than was suspected, under all this stubbornness? It was too momentous a matter for the committee; it must go to the collected wisdom of the house. The protest was refused insertion on the minutes, and Messrs. Jaques and Slamm declined being sworn.

The special committee hastened to the house with its report of this second instance of contempt. The Honorable Mr. Westlake was for confining the stubborn men in the county jail during the session. The Honorable Mr. Cutting expressed doubts as to the power of the legislature in cases of contempt. The Honorable Mr. Van

Tuyl presented a petition from citizens of Albany and Troy asking that further proceedings in the case of Jaques and Slamm be stayed until the Judiciary Committee have time to report whether the house had acted constitutionally or not. Mr. Cutting of the Judiciary Committee reported in part by recommending that further proceedings be suspended. Mr. Porter inquired if all the members of the committee had been consulted. Mr. Cutting replied that he had forgotten that the gentleman had returned. Mr. Patterson moved that the committee be not discharged from the main inquiry. Mr. King was opposed to any reference whatever. The motion to refer was lost.

But the house wanted to know all that Messrs. Jaques and Slamm knew of the suspected petition, and at length Mr. Hackley's resolution was adopted—"That M. Jaques and Levi D. Slamm be brought to the bar, and that the Speaker inquire of them if they have anything to offer in relation to their alleged refusal to be sworn, &c., before the committee."

The speaker having put this inquiry, M. Jaques, on behalf of himself and Mr. Slamm, answered as follows :

"That nothing but the importance which both attached to the question before the house could have induced him for the first time in his life to present himself before a public assembly in vindication of the stand they had taken in behalf of the violated constitution of their country—that they believed the law under which the house had instituted these proceedings was contrary to the constitutions of the United States and of the state of New York—that they had no legal advisers and asked none, believing that the legal characters of the country, from education, habits of thinking and association, were too strongly wedded to precedents of government and law which were anti-democratic and repugnant to the spirit of free government—that though we had separated ourselves from British government, we were still slaves to their laws, their customs, their parliamentary proceedings, and that it was

high time our second independence was declared. Better that we take the advice of that able jurist, Edward Livingston, and reject all British statutes and British precedents from our courts of law as evidences of law. As well might we adopt the code of Napoleon, or the civil code of Russia, as a guide for our judicial decisions or legislative proceedings; they are all based on monarchical principles, and incompatible with free government."

Mr. Slamm, at the instance of Mr. Jaques, then read to the house, the document offered to the select committee.

#### PROTEST.

*To the Select Committee of the House of Assembly on the Petition of M. Jaques and others.*

GENTLEMEN :—We appear before you at this time, not because we acknowledge your right or authority to call on us to appear and testify, but for the purpose of assigning our reasons for not replying to the interrogatories you may submit. At the same time we would have you understand, that we have nothing to conceal, which, if disclosed, would in the least affect ourselves, or any other person whose name may be on the petition in question, or any persons with whom we are acquainted.

We cannot consent to be examined by you as a committee, because we deny its authority; and to yield now, would be virtually acknowledging the constitutionality of the law of this state under which the Legislature appear to claim the power, to issue its warrant, commanding its sergeant-at-arms, (he not being a ministerial officer of any court of law), to arrest *private citizens*, detain them as prisoners, and arraign them at the bar of the House of Assembly, and then condemn, and censure or imprison them, at their pleasure: thus breaking down the barriers of our constitution by uniting the three distinct departments of the government—the legislative, the judicial, and the executive, into one; thereby setting up an OLIGARCHY of a most dangerous character, and totally subversive of all free governments—against all which we do most solemnly PROTEST. And, furthermore :

To admit, for argument sake, that this committee has the right to call us before it, yet we are not bound to answer any questions whereby we might implicate ourselves: this is a rule of law which we presume this committee will not deny.

That no evil impression may be inferred from the position we have taken, and that the good people of this state may discover that we only persist in our constitutional rights, we respectfully inform you, that we are willing to be sworn and testify before you appertaining to the petition in question, but with a *full understanding* that we do it voluntarily, and that this protest be considered part of the minutes of your proceedings.

*Albany, March 8, 1837.*

M. JAQUES,  
LEVI D. SLAMM.



After Mr. Slamm had concluded, Mr. Jaques was going on to argue the constitutional question, when

Mr. King interposed, asking whether it was worth while to listen to a constitutional argument, so long as the persons at the bar expressed a willingness to go before the committee voluntarily and be sworn.

The Speaker said he understood that the persons at the bar refused to be sworn, and put the question to Mr. Jaques, whether he meant to be understood to say in the written paper just presented, that he was willing to go before the committee and be sworn?

Mr. Jaques replied: under the conditions stated in the paper.

Mr. King asked that the paper might be read again, and it was read by the clerk.

The Speaker again put the question stated above, and

Mr. Jaques replied in the affirmative, on condition that the paper be recorded on the minutes of the house, as part of its proceedings.

The Speaker said it would be so recorded of course.

Mr. King then moved that Messrs. Jaques and Slamm be discharged from custody.

Mr. T. W. Tucker opposed the motion, saying that he never could consent to compromise what he conceived to be the just authority of the House, under any such stipulation or bargain as that proposed by the persons at the bar. The *honor* and *dignity* of the House must not be compromised!

Mr. Hurlbert was also opposed to the motion. It was debated by Messrs. King and Westlake.

Mr. Bradish offered a resolution to wait for the report of the judiciary committee.

Mr. Porter moved that the resolution lay on the table.

Mr. King withdrew his first resolution to offer another, viz.: "That this house possesses the legal and constitutional power to punish for contempt of its authority."

This short mode of getting above the constitution was adopted unanimously. Legislative bodies are always

prone to usurp power, because there is no personal responsibility. Our legislative history abounds with instances of usurpation.

All difficulties being thus got over by the House voting itself absolute, Mr. King renewed his former motion, to discharge Messrs. Jaques and Slamm from custody. This was debated by Messrs Van Tuyl, Zabriskie, Bigelow, Roosevelt, Patterson, King, Westlake, Taylor and Ruggles, when the question was taken and lost.

Next day the House got into the matter again. Mr. Sibley offered a resolution that the Speaker propound to Messrs. Jaques and Slamm the question, "Are you willing to testify before the committee, but not to answer any question which may criminate yourselves?" This was adopted.

The Speaker put the question to M. Jaques, who said he was sorry the resolution had been adopted, as he indulged the hope—the Speaker interposed for a direct answer.

Mr. Jaques then replied, "I must say no! because I wish to be heard."

The Speaker put the same question to Mr. Slamm, who replied as follows:

"That inasmuch as the House of Assembly had granted his request, by placing upon its journals his Protest against the constitutionality of the whole procedure, he, as he had stated in that Protest, was willing to testify before the committee."

The Speaker then stated that the House desired an unqualified answer. The question was again put to him and he replied as above.

Mr. Cutting moved that Mr. Slamm be discharged from the custody of the House, which was carried by a vote of 92 yeas to 7 nays.

Mr. Burroughs renewed his resolution so amended as to commit M. Jaques to the county jail of Albany until he shall submit to an examination before the committee.

M. Jaques then proceeded with his remarks.

"I hope," said he, "Mr. Speaker, to be indulged in a few remarks explanatory of our motives, and in vindication of our characters, before I proceed to the consideration of the main question at issue.

We are charged with acting for political effect. This we deny. Our motive is a desire to protect ourselves and our fellow-citizens from oppression. If the house of Assembly had given us a full and fair hearing in the first instance, we should have been satisfied; but our requests were unattended to, and we were condemned and sentenced in one breath. Feeling ourselves shut out from an opportunity of defending our rights and opinions, we took measures to place ourselves again in the power of the House, and abide the result.

Our characters, our motives, and our principles, are assailed; every epithet of reproach and contumely that the English language can furnish, is heaped upon us. It is said that we are ambitious; that we do not regard the property or rights of others; that we incite to mobs; that our principles are corrupt, &c. Such has been the fate of all reformers, in all ages, and in all countries. The first and greatest reformer that history gives us much account of, was reviled and evil spoken of: he was called a thief, a vagabond, a disturber of the peace, of society, a babbler: they charged that he was an associate of publicans and sinners; that he was a madman; that he taught doctrines which were loosening all the bonds of society, and turning the world upside down: and for his firmness in resisting the oppressions of the money-changers, the Pharisees and the Regency of that day, he was persecuted to death. A period of eighteen hundred years has since elapsed, and what is the result? To condemn his morality, or doubt his divinity, is deemed INFIDELITY!

Our principles have long since been before the public, and we call on our opponents to gainsay them.\* They are drawn from the true sources of wisdom, and are founded on the eternal principles of truth, and will endure to the end of time.

I wish here to correct some erroneous opinions which I have heard expressed on this floor and elsewhere by honorable members of the House.

They are as follows: That members of the Senate and Assembly possess all the powers of the people; that in fact they are the people; that all laws passed by a majority of both branches of the Legislature, and approved by the Governor, however contrary to our written constitutions, are binding on the people; and are in fact constitutional—the Legislature being the people, and of course above the Constitution.

Such is the doctrine promulgated by men who claim to be the exclusive supporters of democratic government! It is the theory and practice of the British government, "The King can do no wrong." Gentlemen had better have our constitutions burnt by the common

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\* See Declaration of Equal Rights Party.

hangman at once. But I would ask, for what purpose the honorable members take the oath to support the Constitution of the United States, and of this State, when they take their seats in this House? And why they propose amendments, in order to enable them to obtain the consent of the people to effect some object not allowed by the Constitution? An amendment on the subject of the duties on salt, and the sales at auction, were not long since made, and it is now proposed to amend so as to sanction some changes in our judiciary. If the Legislature be the people, why not alter the Constitution at once, and save the trouble and expense of referring it to the people?

I am no longer surprised that the Legislature of this State should incorporate banks, with the privilege of emitting their notes as a circulating medium, when I am informed that the members of the two Houses are the people, and of course above the Constitution; the prohibition contained in the United States Constitution is, therefore, not binding on our Legislatures! Will the people sanction such a doctrine? I trust not.

I hope I shall be permitted to speak of that government from which we derived most of our maxims and precedents of law, and our doctrine of parliamentary privileges and prerogatives, and contrast it with our own. In England, all power is lodged in the King and two Houses of Parliament. The doctrine there prevails, that on entering into society, men give up their rights; but the truth is, that the people do not give up their rights voluntarily; they are wrested from them either by force or fraud. When William the Norman invaded and conquered England, he divided the lands amongst his followers, and subjected the people to a state of vassalage. They were purchased and sold as appendages to the land. It is true some alterations in the condition of the common people have been effected since that period; but it is only a change to a state of dependence still more degrading to the character of man.

Ours is called a *Democracy*—that is, a government of the people—a government where the supreme power is in the people; and all power and authority emanate from them. In a pure Democracy, the people, in their collective capacity, meet together and pass laws; but in large communities this is impracticable; we therefore have adopted what we call a *Representative Democracy*: and by conventions of the people have formed written constitutions, entrusting the management of the affairs of the government to the hands of representatives or agents; which agents or representatives are divided into three classes or departments, viz: Legislative, Judicial and Executive; as checks and balances on each other; each department having its peculiar power and duties assigned to it by the Constitution; and neither department can rightfully exercise or interfere with the powers or duties assigned to the others. Here no natural right is given up, nor can they be, because they are inalienable.\*

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\* "The individual, by entering into society, promises to abstain



Constitutions may be aptly compared to powers of attorney, and the parties to principal and agent : the people are the principal, and their representatives the agents, and the constitution the power of attorney by which they derive their authority, and by which their duties are *defined*, and their powers *limited*. If the agent transcend his authority, his principal is not bound by such act. So in respect to the people : if the agents of either department of the government transcend their powers, the principals are not bound by their acts, and have a right to call them to an account, and dismiss them from their employment.

[Here Mr. J. asked, and was permitted to read, sundry extracts from a speech lately delivered by Mr. McKeon, member of Congress from the City of New York, in which he maintains the doctrine that Congress cannot delegate authority to a Committee, and clothe it with power to send for persons and papers. He doubts the right of Congress, under the Constitution of the United States, to exercise the powers and privileges claimed by the British House of Parliament, to punish for contempts.]

I now, sir, go further : I deny that Congress, by the Constitution of the United States, is clothed with any system of privileges, such as is claimed and exercised by the British House of Commons. Such privileges were expressly denied to Congress by the Convention which framed that instrument.

On the 20th day of August, 1787, a proposition was submitted to a committee of five members, in the following words: "Each house shall be the judge of its own privileges, and shall have authority to punish by imprisonment every person violating the same : or who in the place where the Legislature may be sitting, and during the time of the session shall threaten any of its members for anything said or done in the house," &c. &c.

This committee reported on the 22d August, 1787, against investing the house of Congress with any such powers, which report was concurred in by the convention.—*See 4th Vol. Elliott's Debates, pp. 140 and 148.* Hence it is clear, that Congress possesses no such powers ; and I shall make it equally manifest that the Legislature of this State possesses no such power by virtue of their Constitution.

The 2d section of the 5th article of the constitution of the State of New York clothes the Legislature with the only judicial or criminal powers it can lawfully exercise.

"The Assembly shall have the power of impeaching all civil officers of this State for mal and corrupt conduct in office, and for high

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from whatever is inconsistent with the existence of society ; but by entering into society he promises nothing more. Society promises to restrain and to redress whatever would be destructive to society, but it promises no more. In all respects the parties are exactly in the situation in which they were before the establishment of society."—*Professor Wayland.*

crimes and misdemeanors; but a majority of all the members elected shall concur in an impeachment. Before the trial of an impeachment, the members of the court shall take an oath or affirmation, truly and impartially to try and determine the charge in question, according to evidence; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment, in cases of impeachment, shall not extend farther than the removal from office and disqualification to hold and enjoy any office of honor, trust or profit, under this State; *but the party convicted shall be liable to indictment and punishment according to law.*"

I also find, by the first volume of the Revised Statutes, so late as 1829, this House did not claim the powers now exercised. The punishment for neglect or refusal to attend as a witness, was a fine of one hundred dollars. At what period, and by what means, the privileges exercised by this House were engrafted on our statute books, I leave others to explain. Doubtless it was the work of some common law pleader, who has more veneration for the aristocratic British parliamentary law, than for the written Democratic constitutions of this country.

Here then we have all the judicial powers granted to the Assembly; and these powers are confined exclusively to the "civil officers of the State for mal and corrupt conduct in office, and for high crimes and misdemeanors;" and their punishment is confined to removal from office, and disqualification to hold and enjoy any office of honor, trust or profit under this State. For any further punishment, they are turned over to the proper judicial tribunals, to be "punished according to law;" thereby virtually saying the assembly shall have no judicial power excepting as above. Now, whence comes the right of prerogative, and to punish for contempt? Not from the constitution of the United States, or of this state, but from parliamentary law of Great Britain. And has it come to this, that we are to be governed by British "precedents" and "parliamentary usages," in violation of our written constitutions? If so, it is time that the public so understand it.

I have now fully shown, that the Assembly of this state does not possess the power to punish for contempts, but that such power is expressly forbidden. The 4th article of amendments to the constitution of the United States provides:

"The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized."

*Article 5.* "No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury.\* \* \* Nor shall be compelled in any criminal case to be witness against himself, nor be deprived of *life, liberty or property*, without due process of law."

*Article 6.* "In all criminal prosecutions, the accused shall enjoy

the right of a speedy and public trial, by an *impartial jury* of the State and district wherein the crime shall have been committed. \* \* \* To be confronted with the *witnesses* against him; to have compulsory process for obtaining *witnesses in his favor*."

The 7th article of the constitution of the State of New-York, sections 1, 2 and 7, contain provisions in all respects similar to the above, and therefore need not be here repeated.

Let me now compare those provisions with the case before us. We are arrested by an officer of this House, upon a warrant issued by the Speaker of this House; we are forcibly taken from our homes, our families, our business, and arraigned at this bar, to answer for a contempt of its authority. We are tried, condemned, sentenced and punished by this House: and all this in violation of the rights guaranteed to every citizen by the Constitution of the United States and of this State.

1. We were arrested under a warrant not supported by any oath or affirmation.

2. It was served by the Sergeant-at-Arms, who is not a ministerial officer of any court.

3. We are deprived of our liberties without due process of law.

4. We are arraigned for trial without a presentment or indictment of a grand jury.

5. We are compelled, indirectly, to give evidence against ourselves.

6. We are deprived of a trial by an impartial jury.

7. We are not confronted with the witnesses against us, nor have we compulsory process for obtaining witnesses in our favor.

In all of the above particulars have our rights been invaded: the accusing party being the judge, jury, and executioner of the sentence; thereby uniting the legislative with the judicial and executive branches of the government; breaking down every barrier of our constitutions, and subjecting us to the will of a majority of a legislative body, which is the worst of despotisms!

And all this—for what? Not that it was necessary for the purposes of justice; not that there was no other and a more constitutional mode of proceeding; but to vindicate the wounded dignity of this House of Assembly! Strange inconsistency! and still stranger plea! And is it come to this, that the wounded dignity of this House of Assembly must be revenged by a violation of the constitution and an invasion of the *rights and liberties* of private citizens?

The Assembly of the State of New-York, as a party in any suit, must be considered as an individual, and can have no more rights than any other individual: both have a right to summon witnesses in any legal inquiry; and if the witness so summoned does not attend, after being legally summoned, on due proof under oath, the proper judicial tribunal can issue its warrant to compel them to appear and answer for such neglect or refusal, and inflict punishment if necessary. This is all the power which this Assembly possesses in the premises, and is all that it is necessary it should possess, in order to



perform its duties as a legislature; and in this course no constitutional provision would be violated, and no private right or personal liberty invaded: a perfect harmony would be preserved in all the departments of the government, and justice thereby be promoted.

I entreat you to pause before you proceed further in this matter. I have been dragged forcibly from my home by a warrant issued by your Speaker, commanding your Sergeant-at-Arms to arrest and bring me to your bar, compelling me to perform a long journey at the most inclement season of the year. I am here arraigned for an offence not known to the constitution of this country, and before a tribunal having no just authority to arraign or try me for the alleged offence. Recollect, the members of this House, like the leaves of the forest, are but annual: in the coming autumn you will descend to the common mass of society, and others may be chosen to fill your seats; and for aught you know, some one of you may be placed at the bar where I now stand. In such case, what would be your sensations? I conjure you to pause—to reflect. Be not hasty to pronounce your decision. I ask you to exercise that most important moral precept, “Do as you would be done by.” I trust you will not let prejudice or party feelings influence your decision. Although I felt indignant at the treatment I first received at your hands, yet, after a little reflection, I forgave all, knowing that “to err is human.”

I will here take the liberty to indulge in a little egotism. I am descended from a family which has been noted for its attachment to liberal principles, both civil and religious, for at least three centuries past. My ancestors were French Protestants, who fled from France, and settled in England, in the 15th century, at the time of the repeal of the Edict of Nantz, when the Catholics were let loose upon the Protestants, and indiscriminately massacred all who came in their way. From England they emigrated to New-England about the year 1640; from whence my immediate ancestors emigrated to and settled in New-Jersey. My father, at the commencement of the revolutionary war, with his little band of Jersey blues, under the command of the illustrious Washington, met the enemy at the water's edge on Long Island, and contested the ground with them inch by inch, until compelled to retreat across Manhattan Island to New-Jersey. Here he was entrusted with an important command until the close of the war, when, Cincinnatus-like, he retired to his farm, with a shattered constitution and an impaired fortune. From him I inherited a love for freedom, which has been cherished until this period of my life; and although far advanced in years, I enjoy good health, and, as you may suppose, some firmness of purpose, which may be construed into obstinacy by some; be that as it may, I am conscious of no motives but a love of justice, of truth, of liberty, and of humanity, and from the pursuit of which no power on earth shall deter me. While I hold myself and all others bound strictly to observe and obey all laws constitutionally made, yet I deem it equally the duty of every citizen to raise his voice against every bad and unconstitutional law; and even submit to its penalties, rather than yield a tacit compliance with unconstitutionality and injustice.



The honorable members of this House represent the wisdom, the intelligence and the patriotism of the good people of this State. Its future character, as well as the liberties of the citizens, will much depend on the manner in which this vitally important question shall be settled. I thank the House for the indulgence of a hearing. The object so anxiously desired has been attained. I have been permitted partially to explain my views on the question of the powers of this Assembly to punish for contempt. I am now satisfied; and am ready, and always have been willing, to go before your committee, and testify all I know relative to the petition in question.

Thus did M. Jaques conclude his lecture to the House of Assembly of the state of New York. He repaid with interest the unmeaning reprimand he received from the speaker by retorting such a reprimanding as the house richly deserved; one that had sense, argument and constitutional bearing in it. We should like to have heard that venerable man giving his constitutional schooling to the half-made-up lawyer legislators in the house. He gave the members the best lesson they ever received in American constitutional Democracy, vulgarly called Loco-Focoism.

The house finally decided that Mr. J. should remain in the custody of the Sergeant-at-Arms, until he should comply with the subpoena to appear and testify before the select committee, and in that shape it was adopted; ayes 74, noes 27. The House then adjourned.

Immediately thereafter, the following note was directed to Mr. Slamm:

*"SIR—This afternoon, at 3 o'clock precisely, at Room 13 Congress Hall, the Select Committee will examine Mr. Slamm; Mr. Patterson, the Chairman, being engaged at 5."*

At the time set forth in this polite invitation, Messrs. Jaques and Slamm went before the committee *with a full knowledge that they did it voluntarily*; and were sworn and testified touching the petition in question. And reader, what think you was the amount of their testimony? It was simply this, that they signed the petition in the city of New York and that they knew nothing further about it. The fact is, the petition was conceived and drawn up

by the author of this history, and Mr. Roosevelt had no more to do with its getting up, or being signed, or sent to Albany, than the Speaker himself.

The Legislature after acting with manifest unconstitutionality in the persecution of M. Jaques and L. D. Slamm were compelled to accede to the conditions of those whom they imagined would submit to a law which violates the constitutional rights of American citizens." The conduct of the House, from first to last, was composed of ungenerous suspicions, unjustifiable usurpation and unmitigated meanness. We prove their meanness by the fact that the House did not pay the expenses of the men that were dragged from their homes and families for the sake of its dignity, thus showing itself destitute of that moral dignity which makes restitution for loss or injury inflicted. Had the House been really above contempt, it never would have had the puerile idea that a private citizen could treat it with contempt. Messrs. Jaques and Slamm wrote that they were willing to obey the subpoena of the committee if their expenses would be paid. Their stipulation was just and legal, and had the members possessed moral sense, they would have so considered it. But the same body of men at a later date violated their constitutional obligations by the passage of the Bank suspension law.

## CHAPTER X.

Equal Rights Party Resolution on the Contempt Case—Sketches of Levi D. Slamm—M. Jaques nominated as candidate for the Mayoralty—Park Meeting—Address and Resolutions—Nomination of M. Jaques, is confirmed—Incident—Loco-Foco Nominations for the Common Council—Correspondence with M. Jaques—Election Results—Remarks—Call for Park Meeting, 3d of May—Meeting, Address and Resolutions—Remarks—Run on the Banks for Specie—Bank white-washing Committee—Suspension Law and Remarks—The Credit System turns out to be the System of Debt.

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There are no necessary evils in government ; they exist only in its abuses.

ANDREW JACKSON

WHILE Mr. Jaques was vindicating the rights of American citizens in the capitol at Albany, the Loco Focos in the city of New-York manifested in their Ward meetings the deep interest which they felt ; and when information of the reprimand reached the city, every member of the party was roused to indignation. In the 8th Ward where Mr. Jaques had his residence, the following resolution was unanimously passed.

*Resolved*, "That the House of Assembly of this State, by its ex-post-facto legislation in passing a resolution for the occasion, 'that this house possesses legal and constitutional powers to punish for contempt,' showed a wilful contempt of the Constitutional Rights of the people, and therefore the house is reprimanded by us, a portion of the sovereign people, at the bar of public opinion."

In all the Equal Rights Party Ward meetings, resolutions were passed condemnatory of the adoption of the British parliamentary usage of reprimanding or punishing for contempts, and in some the usage was held up to ridicule. A Gilpinade ballad was composed, from which the stanza quoted at the beginning of the preceding chapter is taken. It was entitled "The Assembly's Vengeance against wilful contempt ; telling how the house of Assembly was wickedly contemned by Moses Jaques and Levi D. Slamm,

and how the said contemners were scolded and reprimanded therefor."

The greetings which the above named gentlemen received on their return to the city were sincere and enthusiastic. The party at once determined to run M. Jaques for the Mayoralty at the ensuing charter election.

Levi D. Slamm had been previously known as a useful man at drawing up resolutions, and also as a secretary at many of the Loco-Foco meetings. Shakspeare says that "a rose by any other name would smell as sweet," but it was exactly the reverse with Mr. Slamm, for with any other name he would not have acquired the same renown. With this name the New-York Herald did much for him, by adding Bang to it for the sake of ludicrous euphony: hence Slamm Bang & Company became its favorite designation for the Equal Rights Party. Mr. Slamm is deficient in logical as well as philosophical powers of mind; he has more perception than thought, which is of great advantage to him as the Editor of a paper. He takes so much pleasure in publishing ably written articles, that he always inserts them as editorials, and hence he has had the good or ill fortune of being overrated. He is an active political partizan, the man of the present, the surface of which engages his whole attention, for he has none of that reflective foresight which sees the future that is growing out of the present; consequently, whatever or whoever is the popular rage of the day, has charms for him, and if he can, he will use the same to promote the present success of himself or party—and he looks not beyond. Such is Mr. Slamm, whose name, luckily for him, was given to a political party. But so it often is;—"some men are born great, and some have greatness thrust upon them."

In due time the wards made out their nominations for the Mayoralty, and at the general County meeting, M. Jaques received the majority of votes, and was duly nominated "without a dissenting voice." At the same meeting officers were chosen for the Park meeting, on the



third of April ; the public call for which meeting was as follows :

“AGAIN TO THE PARK—TO THE PARK.

*The People are sovereign.—*

They will meet in the Park, rain or shine, on Monday, April 3d, at half past two o'clock, to unite against those moral and political abuses, the curse of paper money, the market and ferry monopolies, and to reform the city government, in order to bring down the high prices of bread, meat, rent, and fuel.”

The reader is presented with the following extracts from the proceedings of the Park meeting, April 3d, which are recommended to his perusal. They were written by Mr. Hunt.

☞ **THIRD GREAT MEETING IN THE PARK !—THE PEOPLE COMING TO THE RESCUE !**—Yesterday, April 3, 1837, at half past twelve o'clock, the people convened, in immense numbers, in the PARK, to take measures to redress their grievances, and to decide upon the Constitutional mode to reduce the prices of Bread, Meat, Rent, and Fuel. The meeting was called to order by Col. GEORGE DIXEY.

After an address from the President, SETH LUTHER, and from another mechanic, Mr. LEVI D. SLAMM offered the following preamble and resolutions, written by John H. Hunt, which were received with great *éclat*, and unanimously adopted by the assembled multitude :

Whenever a people find themselves suffering under a weight of evils, destructive not only to their happiness, but to their dignity and their virtues ; when these evils go on increasing year after year, with accelerating rapidity, and threaten soon to reach that point at which peaceable endurance ceases to be possible ; it becomes their solemn duty coolly to search out the causes of their suffering—to state those causes with plainness—and to apply a sufficient and a speedy remedy.

The world has always abounded with men, who, rather than toil to produce the wealth necessary to their subsistence, have contrived to strip others of the fruits of their labor, either by violence and bloodshed, or by swagging pretensions to exclusive privileges.

It is, however, chiefly by this latter mode of robbery, that the working classes of modern times are kept in debasement and poverty. Aristocrats have discovered that charters are safer weapons than swords ; and that cant, falsehood, and hypocrisy serve all the purposes of a highwayman's pistol, while they leave their victims alive and fit for future exactions.

Thus have the producers of wealth been kept for ages in subjection to a wicked confederacy, whose interest it has been to sow strife and dissension among them, lest they should unite and redress their wrongs; to paralyze their intellect, lest their own pompous pretensions should become objects of ridicule and derision; and to pervert the moral sense of mankind, lest themselves should become objects of universal execration.

It was the curse of such an aristocracy that drove our fathers to the savage wilds of a distant continent;—it was the hope of releasing us, their descendants, from such a thralldom, that supported them during the terrible struggle of the revolution, when they boldly advanced against the myrmidons of injustice, leaving the bloody tracks of their unclad feet upon the frozen ground.

They saw that in the governments of the old world, the laborer was represented by the drone; the producer by the consumer; the sheep by the wolf;—and they established here a government, the constitution of which not only prohibited the creation of monopolies and exclusive privileges, but which enabled the producers of wealth to represent themselves by agents taken from their own ranks, and having a common interest and a common sympathy.

Our fathers performed their duties well; but we have neglected ours, and hence our suffering. We have suffered our political power to fall into the hands of men who fatten on the diseases of the body politic, and whose trade requires them daily to defend guilt for a share of its plunder, or to exact money for advocating the cause of the innocent. We have suffered these men to violate and set at naught that constitution which cost so much toil and suffering—to confer on favored combinations, not merely titles of nobility, but the more substantial privilege of taking interest from their creditors—the more than princely privilege of taking houses, lands and labor, while they build no houses and give no labor in return.

Therefore, in consideration of the facts set forth in this preamble, be it

*Resolved*—That we solemnly pledge ourselves to one another, and to the laboring classes throughout the land, that we will unite and strive with our utmost vigor to effect such a reform that those who sow shall reap, and those who produce shall enjoy.

That, as the first step towards such a reform, we will cause the producing interest to be represented in our legislative halls hereafter by actual producers.

That we will endeavor to show during the coming contest that we are warring not against individuals, but against a system of wrong and oppression; and that we are contending not for the spoils and trappings of power, but for the rights of man.

That, notwithstanding the extremity of our wrongs and sufferings, we will oppose all rioting and violence; and we call on all our fellow-citizens to give our aristocracy no pretext for establishing a military power to enslave and plunder us for ever.

That we heartily approve the conduct of the late president in checking the attempts of speculators to monopolize the remainder of

the people's lands, for no other compensation than bank promises: That we approve the present executive's refusal to rescind his predecessor's act; and we trust he will never mistake the outcry of noisy speculators for the voice of the people.

That the precious metals are the only constitutional currency, and should ever be insisted on by the industrious classes as the actual circulating medium, to bring to the test every species of credit currency, and suppress the spurious paper system.

That in Moses Jaques, the Equal Rights candidate for Mayor, we recognize an honest patriot of the old school, struggling in his advanced age for those glorious principles of equality and right for which he contended by his father's side in the war of the revolution.

The following incident gave much pleasure at the time of its occurrence:—On reading the resolution in relation to the nomination of the revolutionary patriot, Moses Jaques, for the office of Mayor, a banner was unfurled containing the nomination in large letters, and as the people commenced cheering, the sun for the first time that forenoon, burst from the clouded sky and shone in full splendor on the assembled multitude. The coincidence was felt as a favorable omen by many present, and excited renewed cheering.

Moses Jaques addressed the meeting: he stated that he held it to be the duty of every candidate for any office of importance, to explain as an honest man and a democrat his political principles to the people, that the electors might know for whom they give their support. Nominated for an important office, he felt pride rather than delicacy in doing so. Should the people think fit to repose their confidence in him, upon the altar of Liberty he would swear open opposition to every species of tyranny, monopoly, and injustice. He retired amid loud and enthusiastic cheering.

While the Equal Rights party were holding public meetings, nominating candidates, and making preparations for the city charter election, the Federal Whigs and monopoly Democrats were equally busy, and much more deeply interested, so far as offices and emoluments were involved. Aaron Clark was nominated by the Whigs as their candidate for the Mayoralty, but the monopoly Democratic party appeared to be much shocked at the fact of a lottery ticket vender being held up for the Mayoralty, and therefore it nominated a candidate who possessed as high a degree of gentility of rank, respectability and wealth, as the city would furnish. If the laws, institutions and customs growing out of them, in any country make lottery ticket and stock scrip venders, who is to blame? They, (tickets and scrip), as well as goods

and labor, while they are legal commodities, are equally respectable so long as legislation specially regards them as "business wants of the community."

In April, 1837, there were three candidates held up for the Mayoralty of New York; Aaron Clark, John I. Morgan, and Moses Jaques. In respect to character, and probably circumstances, the latter is the equal of either of his competitors; but as respects talents and information, it is not saying much to state that he is superior to both. It was thought in Washington that he was a good Democrat, and as good a candidate as the Tammany committee could find in the city. But it is not in the nature of monopolists to listen to any suggestion that might be contrary to their vested interests. They are not for progress, their instinct is to hold on to all established abuses, under their old dogma, that "things were always so, and always will be so."

The following were the Equal Rights party nominations for the Common Council:

<i>Ward.</i>	<i>Aldermen.</i>	<i>Assistants.</i>
4th	George S. Mann,	D. C. Pentz,
5th	F. S. Cozzens,	Daniel D. Ideson,
7th	M. Dougherty,	Daniel Gorham,
8th	Charles Dingley,	John H. Hunt,
9th	Israel Ketchum,	William M. Thorpe,
10th	R. J. Smith,	Philip Snedecor,
11th	B. F. Halleck,	J. W. Walker,
13th	T. S. Secor,	John Wilder,
14th	Stephen Hasbrouck,	J. J. Brinkerhoff,
15th	Edward J. Webb,	Francis Murphy,
16th	George B. Thorpe,	George Dixey,
17th	Thomas Chappell,	P. B. Smith.

The committee that was appointed to correspond with M. Jaques received an answer from him, perfectly satisfactory to the Equal Rights party. We insert the following extracts:



“I have always been opposed to the doctrine that a public debt is a public blessing. On the contrary I hold that the credit system is wrong in principle, and must be ruinous in its effects on the integrity, the morals, and the ultimate prosperity of a people. I am, therefore, opposed to it in a governmental as well as in an individual point of view, and should feel myself bound to oppose all increase of the present or creation of any other public debt beyond the means to pay of those who contracted it, because it is an unjust act to entail on posterity a debt, in the contracting of which it could not have been consulted.”

“Whilst laws are unequal, and consequently unjust, the largest portion of the community will be poor; and such community is bound by every principle of humanity to make ample provision for all those who through age or infirmity are unable to support themselves. When governments learn to be just, poverty will, in a great measure, be unknown, and the laws for the maintenance of the poor unnecessary. But, as society is now constituted, poor laws are imperatively demanded; and, therefore, public economy and humanity require a strict accountability of agents to prevent oppression, embezzlement, and waste.”

The views of M. Jaques on other questions of municipal reforms, were of the true Democratic stamp, but he was not of the credit system Democracy. Nevertheless he obtained over four thousand votes at the election; John I. Morgan obtained over thirteen thousand, and Aaron Clark received over seventeen thousand votes. The latter had about seven hundred votes less than both his competitors, hence it is clear that M. Jaques would have been elected Mayor, had the monopoly Democracy supported him. But perhaps with all the moral horror expressed towards the dealer in lottery tickets, the managers in bank scrip would prefer the lucky Whig to the Loco-Foco Democrat.

The old democracy lost the Common Council as well as the Mayoralty; and this was of far more importance than democratic principles, because a clear sweep of official incumbents took place, followed as usual by a tremendous outcry of proscription. The ire of the old-fashioned republican press was re-kindled to greater bitterness than ever, against the Equal Rights party, which, by running its own candidates, caused a total change in all departments of the city government. But the Loco-

Focos could see no great difference in principles between national Bank Whigs and State Bank democrats, and therefore run candidates against both, without caring for the triumph of either. They regarded the Banking system of the State of New-York, with its safety fund league and restraining law, as a hydra-headed monster whose overthrow was essential to human rights and human progress. They saw it was absolutely vain to hope for any reform voluntarily from that party which had connected itself almost indissolubly with the system.

The words of that popular man, Andrew Jackson, in his farewell address, were engraven on their memories. "The paper money system, and its natural associates, monopoly and exclusive privileges, have taken deep root in the soil, and it will require all your efforts to prevent its further growth, and to eradicate the evil." Already the banks were sovereign over the action of the legislature, and the only hope was in the action of the people themselves; that is, in the ballot, to disorganize the governing power of the State Bank party, and in the use of bank notes, to demand specie for them. Hence the running of candidates; and hence in every meeting in the Park a resolution urging the working people to go to the banks for specie; and when another meeting was called in the Park for the third of May, the call was headed in large type,

#### SPECIE! SPECIE!

The people will meet again in the Park on Wednesday, May 3d, at half past one o'clock, rain or shine, to adopt measures to retrieve our country from the desolating influence of Paper money, and to insist on Gold and Silver being demanded for the public Lands, and being paid to the farmers, mechanics and other useful classes of Society, as the constitutional and just recompense of their honest toil, and to oppose the efforts now making to perpetuate the paper money fraud by the establishment of another National Bank.

LEVI D. SLAMM,	ED. J. WEBB,
CHAS. DINGLEY,	THOS. DYER,
JOHN HECKER,	D. MURPHY,
GEORGE DIXEY.	

The meeting took place accordingly, and Chas. G.

Ferris was called on to preside, assisted by eight vice-presidents and four secretaries. Messrs. Ferris, Ming and Haskell addressed the crowd, and were loudly applauded. The following is a portion of the "Address of the producing classes of the city of New York friendly to the policy of substituting a specie currency for a promise currency, to the people of the United States." It was written by Mr. Hunt.

FELLOW CITIZENS:—

At a time like this we need make no apology for addressing you, nor for uttering our sentiments with plainness and truth.

Many years ago, when, in consequence of buying much and selling little, the balance of trade was greatly against us, an attempt was made by Congress to protect American labor from being undersold in its own market, by laying heavy taxes upon all imported work. But this measure only enabled the Banks to depreciate the currency to a still greater extent before they rendered themselves liable to be called upon for specie for foreign balances. It did very little towards raising the wages of labor, while it added much to the price required from the laborer for the products of industry. To show the utter uselessness of this "protecting system," it is only necessary to state, that it is still in force, and consequently, if good for anything, would have saved us from the present crisis.

We propose, therefore, that now, instead of attempting to create a market for our own labor by adding to the taxes on imported industry, *we unite to throw off, as fast as possible, all taxes upon our own.* This great end accomplished, we can live in ease and plenty, and at the same time turn the tables upon those nations which have so long found a market here, and undersell them at their own doors.

The principal taxes paid by the producing classes in all countries, (tax-ridden England not excepted), are not the immense sums paid for the support of government, but the incomparably greater sums paid for *rents and interest.* And these latter taxes are much higher in America than in any other country under Heaven.

In Europe the rate of interest varies from three to five per cent:—here it varies from six to fifty, and these rates are paid not only on money, but on millions of bank promises. Some idea of the amount we pay on promises may be formed from the fact, that over two hundred millions have been added to our bank capital within the last two years.

\* \* \* \* \*

This heavy tax of interest can be thrown off only by our adopting the hard cash system in place of that cheating game of hazard, *credit*—and to this step the invincible laws of necessity will doubtless soon force us.

We have room only for a portion of the resolutions. They were drawn up by Chas. G. Ferris.

*Resolved*, "That we believe that the difficulties and embarrassments under which the community is laboring are the result of a combination of causes among which the most prominent are:—

An undue expansion of the credit and paper system, not only in this country but throughout the commercial world, which induced an excessive importation of foreign goods and merchandize far beyond the exports of the country, and created a debt now pressing upon us with great severity.

Our excessive high tariff system, by which a revenue has been collected from the people far beyond the actual want of the government, which evil has been aggravated in our commercial cities by the late act of congress requiring a distribution of the surplus revenue, whereby a large part of the public deposits have been drawn from the commercial sections of the country to the interior.

Improvident state legislation in chartering banks and extending the paper currency, until public confidence has been shaken in the ability of the banks to redeem their engagements."

Now all this was exactly true, and the truth was proven in a few days afterwards; for, on the seventh of May, the fourth day after the meeting, a run began upon the banks for specie. The greater portion of the public press was highly indignant at the want of confidence in the people; and one of the bank commissioners stood on the steps of the Mechanics' Bank in Wall street, and assured the crowd of the soundness and ability of the banks to pay specie for all their circulation. Nevertheless, the run continued on, on, on. The bank directors knew well their inability, and that they would suspend; but they dreaded the popular indignation in such an event, and therefore guns and men were procured to pay their creditors, the working people, in specie bullets, as they had not enough of constitutional coin. "And accordingly," wrote Mayor Clark, "a numerous civil force and a large body of militia were called into service. Watchmen and marshals were stationed within and near the banking houses, and the militia at those places from which they could be most readily withdrawn for efficient duty." How numerous are the instances in history of aristocracy acting in this way towards the plundered masses? The Norman conquerors of England, after robbing the people of all their lands and property, passed more laws and adopted more mur-



derous means for the protection of the right of possession of property than were ever known in any other nation. The monopoly aristocracy of New-York garrisoned their fortresses with arms and men, and in a few days they had a law passed for their protection also, by which they were placed beyond all constitutional or moral power, and permitted to levy on the community another robbery of fourteen per cent, under the designation, *below par*, or *discount*. When any of the masses commit depredations on the public, such terms as swindling, stealing, robbery, burglary, picking-pockets, felony, are used; but when the gentle aristocracy commit depredations producing the same results upon the sufferers, the gentle terms of "suspension," "discount," "breach of trust," "defalcations," "forgery," are used. When a blacksmith at his forge forges a ploughshare, he is called a forger to distinguish him from a filer, who is also a blacksmith, but works at a vice-bench. The forging of a ploughshare is therefore a forgery; and such terms were so used hundreds of years before the term was applied to the criminal imitation of signatures.

On the third day of the run upon them for the payment of their obligations, the Banks of the city of New-York suspended specie payments, but they did not suspend business. The safety fund league sent a message to the Legislature for a suspension law, and it was obeyed forthwith. But what could be the necessity for the passage of such a law? It was but a few days before, that the Bank investigating committee, of which Thomas G. Talmage was chairman, brought in a report of the condition of every Bank in the state, to each of which one or more paragraphs were devoted, and each was pronounced "in good condition" "well conducted" or "ably conducted." All, with very few exceptions, were eulogized. Had the Legislature no faith in the Report of the select and sworn investigating committee? Or was the Assembly guilty of chicanery in the getting up of the committee to make a report for political effect? If the Legislature believed the Report to be honest and true, then

it was bound by all the obligations of oath of office, public spirit, moral duty and love of country to refuse its sanction to the suspension of specie payments. If it had doubts of the correctness of the Report, it should have ordered another investigation before it passed the suspension law, for nothing but necessity could palliate such a law; and if the necessity existed, then was the report of the investigating committee of the solvency, good condition, &c. of the Banks utterly false. If the Banks were "well conducted" "in good condition" and exactly according to the report of the investigating committee, the Legislature should have negatived a suspension law as sternly as it would a bill to legalize breach of trust, fraud, highway robbery, swindling or picking of pockets.

Reader, it was against the *selection* of this select Bank investigating committee that Mr. Jaques and others sent in a memorial to the house of Assembly, and it was (*ostensibly*) for requiring their expenses to be defrayed that Messrs. Jaques and Slamm were pronounced guilty of "wilful contempt of the house." But their real sin was that they had signed their names to a document of treason against Banks and bank directors. May the state of New-York never have such another bank-ridden Legislature!

Before the end of the month of May, 1837, the people of the United States had a universal demonstration that the much extolled credit system was in reality a system of debt. How it ever came into men's heads to deem that a credit system, which consisted in loaning and borrowing evidences of debt is perfectly astonishing. The monstrous credit system of England has grown out of her enormous national debt, which must some time or other be exploded by National Bankruptcy or Revolution.

## CHAPTER XI.

Election of Officers of the Party—Great Park meeting, June 24th—Address and Resolutions—Course of the President of the United States in relation to the Banks and Specie Circular, approved—A State Convention called—F. A. Tallmadge censured for his course in the State Senate on the Specie Circular and Bank Suspension law—Resolutions—Letter from Samuel Young.

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“Unqualified and uncompromising hostility to bank notes and paper money. Gold and silver is the only Constitutional currency.”—*Declaration of Rights*.

At the General County Meeting of the Equal Rights party on the 5th of June, a treasurer and recording secretary were to be chosen for the ensuing six months.

*M. Jaques*, who had been treasurer from the first establishment of the office, had removed about the beginning of May to his farm in New Jersey, which had undergone improvements to render it suitable as a residence for his declining years. His leaving the City, was an irreparable loss to the Equal Rights party. Intrinsically a great man, had he devoted himself to public life, few men would at this day be acknowledged superior to him. Capable, truthful, and thoroughly democratic in his views, such men as he and only such, should be the leading men of the Democratic party. As early as 1832 he suggested a constitutional Treasury system. Among those to whom he detailed his plans he wrote to C. C. Cambreleng on the subject.

*Daniel Gorham* was elected Treasurer to succeed *M. Jaques*. And *Alexander Ming* was elected Recording Secretary, to succeed *F. Byrdsall*, who declined being a candidate.

The resolution to remain a separate and distinct party, passed by the State Convention at Utica, was re-affirmed and re-adopted.

Soon after this meeting, preparations were set in motion

for another Park meeting to take place on the 24th June. The bill was posted.

### PARK!

The oppressed, and the foes of oppression, and all who are opposed to the union of Bank and State, and the Bank suspension law, since the passage of which flour has risen \$2.50 per barrel. All who are opposed to that system of legislation, which enables the coiners of Rag money to live in pomp and luxury on the industry of the poor; all who are in favour of calling a state convention to devise means for effecting a thorough Reform of those legalized robberies which deprive the laborer of his bread, are invited to meet in the Park Monday afternoon at a quarter past six o'clock.

DANIEL GORHAM,	JOHN HECKER,
WARDEN HAYWARD,	JOHN BOGERT,
WM. J. BAYARD,	JOHN W. BROWN,
JOHN WINDT.	

In compliance with the above public call, the "largest concourse ever assembled in the city of New-York met in the Park in front of the City Hall, for the purpose of devising means for a thorough reform of those legislative robberies which are depriving the laborer of bread." The meeting was called to order by Morgan L. Smith. Robert Townsend, Jr., was chosen President, and the following persons Vice-Presidents:

ISAAC ODELL,	PASCAL B. SMITH,
JOHN HECKER,	THOMAS DYER,
JOHN WILDER,	ROBERT BEATTY,
B. F. HALLOCK,	HUGH COLLINS,
LUKE FAY,	THOMAS CHAPPLE,
DANL. GORHAM,	J. W. BROWN,
HIRAM TUPPER,	T. S. SECOR.

### *Secretaries.*

JOHN H. HUNT,	FENELON HASRROUCK,
THOMAS S. DAY,	JOSEPHUS N. CRAIN.

Mr. E. J. Webb rose and addressed the meeting on the various topics included in the call. His remarks were listened to with the greatest earnestness and received with enthusiasm.

The following address, written by Mr. Hunt, was then read by Alexander Ming, Jr., and each section heartily responded to by the acclamations and cheers of the assembled multitude.



## TO THE PEOPLE OF THE STATE OF NEW-YORK.

## FELLOW CITIZENS:

There are times when boldness becomes the height of prudence. There are evils which cowardice itself might prompt men to oppose with firm determination instead of temporizing expedients. Such a time is the present; such the evils we have now to encounter.

It would be of little use to dwell upon the extent of our sufferings. It is enough that we all know they have been caused by a general departure from the immutable principles of right, and that they can be removed only by a return to those great principles of rectitude and justice which society has so long abandoned.

The time has come when the scattered, disheartened friends of natural right, and the banded, artful, but dastardly upholders of legalized crime, must meet in open conflict. We have borne the load of continually accumulating oppression till our powers of endurance are exhausted; and we have now only to decide whether we will manfully battle with our wrongs, or sink into the grave beneath their intolerable burden.

At such a juncture, the friends of justice have a right to claim your most active friendship. This we *do* claim; and we pledge our own zealous coöperation in return.

The first step towards unity of action must be unity of counsel. With a view to promote such unity, we propose a *State Convention*, to be held at Utica on the 2d Monday of September next, in which each county shall be represented by twice the number of Delegates which it now sends to the Assembly; the duty of which convention shall be, to devise vigorous measures to remove not only those evils, but the *causes* of those evils, under which we have so long suffered.

Although we have no right to forestall your sentiments, or even by implication to prescribe the measures to be determined on, you will naturally expect us to give at least a sketch of the views by which we are actuated, and of some of the reforms in our social polity which we hope may be adopted.

That revolution to which our republic owes its birth was effected by the strenuous efforts of a comparative few of the honest asserters of the rights of man, aided by many in whom the impulses of vanity or avarice were stronger than those of justice. The change then wrought was rather a change of forms than a change of system. It did not destroy the vitality of the system of laws which the landed aristocracy of England had devised for the government of their rent-payers. The change then wrought was based on compromise rather than principle; and even the most sanguine of the patriots of that age professed to have done little more than to devise a plan by which their descendants might, when the country should have recovered its exhausted energies, and when the public mind should become less turbid from the agitations of a long civil war, establish a system of perfect right without resorting to violence.

But the change was sufficient to arouse the people, and to alarm

the robbers of the people, in the old world. It was sufficient to prove one great exciting cause of those long and expensive wars which so inflated the funding and paper system as to bring the lordly usurers of land in subjection to the usurers of money, and which laid the ancient tyrannies of Europe under such a load of debt that, if the prophecy of Daniel be true, they must very soon fall to rise no more for ever.

The disbanded patriots of our revolution had no sooner sought that repose which their toils had made necessary, than the pursuit of gain engrossed the energies of our people, transforming us into a nation of speculators; and from that time to the present no country on earth has been more completely under the despotism of Mammon than this nominal republic.

The spirit of traffic is of all others most incompatible with the spirit of liberty. The desire to buy cheap and sell dear, to take much and give little, whether it shows itself in the highwayman or the speculator, is equally hostile to the happiness and the virtues of society; and from the birth of Carthage down to the present time, the tendency of excessive trade has been, to blend the pride of the tyrant with the meanness of the slave in each individual wherever it has been suffered to predominate.

It ought ever to be borne in mind, that no man can acquire the doubtful good of extreme wealth without subjecting others to the undoubted evil of poverty. No man can gain the whole soil of a district without stripping all the other occupants of such district of their right to the soil; nor engross any portion of the fruits of other men's labor without subjecting others to a loss equal to his own gain. Hence, no doubt, the severity of the denunciations pronounced by the carpenter of Nazareth upon the engrossers of wealth; who in the very nature of things, ever must be little better than beasts of prey lying in wait for the honest laborers of society.

It is necessary that we should advert to some of those schemes which have been devised to strip the laborer of his earnings, and which we are anxious to annihilate.

We will first speak of the fraud of a spurious currency. The legitimate office of Money is to regulate the dividends of the great partnership of society; to secure to each contributor to the wealth of society, dividends proportioned to the extent of his contributions. Money enables its holder to take wealth or labor from such members of the body politic as may have wealth or labor to part with; and nothing can be more just, than that he who has obtained money honestly, who has *given* wealth or labor to society for the money he owns, should *receive* wealth or labor for it in return. But our reigning office-holders have for years been in the practice of licensing the caucuses to which they owed their elevation, and such speculators as would pay handsomely for the privilege, to issue strips of silk paper as money; and for these strips of silk paper they and their confederates have been allowed to engross nearly all the lands, and houses, and wealth of the state, without ever having contributed the value of a single broom-stick to the wealth of any honest man. They have also

drawn interest from society on the whole amount of money they owed to society. They and their confederates have thus robbed nearly the whole of the working classes of all the fruits of their industry; and we must now decide whether they shall be suffered to continue their game, or to retain their plunder.

Our present laws have also given full scope to that great curse of the human race formerly called "usury" or "increase," but now better known by the terms "*interest*" and "*speculation*." This mean mode of robbery, the nature of which is such that it can only be practised by the possessors of wealth against the poor and needy, has proved the ruin of hundreds of empires, and received the attention of the best and earliest lawgivers. "If thy brother be waxen poor, and fallen in decay with thee, then thou shalt relieve him; yea, though he be a stranger, or a sojourner: Take thou no *usury of him*, or *increase*; but fear thy God, that thy brother may live with thee. Thou shalt not give him thy money upon usury, nor lend him thy victuals upon increase." (Lev. xxv. 36.) Ezekiel classes the usurer with the hired assassin; the Fathers and early Councils of the Christian Church spoke of him as a wrecker, drawing his aliment from human misery and human tears; and for more than a thousand years usury was reckoned, throughout Christendom, not less criminal than any other species of cannibalism. Yet has this sin been tolerated to such an extent among us, that it has now little left but the starved carcase of the laborer to feed upon!

Probably the best mode of completely destroying both the curse of paper money and the curse of usury would be, simply to *let credit alone*; to leave each man's credit to stand solely on its own bottom, without any attempt to strengthen or weaken it by legislation; and, by our constitution, to perpetually prohibit the law from ever interfering in any shape with any contract of debt, either to enforce or to annul it. This measure would make all debts contracted after its adoption what all debts should be, *debts of honor*. It would prevent the man of doubtful honesty, whatever might be his wealth, from obtaining very extensive credit; and it would enable the honest man, however poor, to obtain as much credit as he ought. It would subject the man who should be guilty of trusting a speculator or knave to the just punishment of losing his debt; and it would cause a single dishonest act to blast its perpetrator's credit wherever he should be known. The beneficial effects of such a measure will appear the more complete and extensive the more it is examined; and it would have the great merit of being simple, efficient, and just.

A reform of the judiciary system would naturally engage the attention of the convention we propose. If our judges are to have the power of drawing their decisions from an interminable fog-bank of laws, and precedents, and dead men's opinions, they ought to be made more nearly responsible to the people who are compelled to pay their wages, and to submit to all their decisions.

The practice of reserving the public lands for the benefit of speculators and wild beasts, while thousands of God's children have not where to lay their heads; and the practice of stripping every poor



man's child of his natural, inalienable right to a share of the bounties of our common Father, that he may be compelled to wear out a shortened and degraded existence in the service of sloth and luxury, are subjects that should at this time be considered with serious attention, and acted upon with deliberate caution, by our whole people.

It would be both inconvenient and unnecessary to advert to all the subjects that might be submitted to the consideration of the proposed Convention. What we ourselves wish is, a **NEW CONSTITUTION**, based not upon compromise, not upon any narrow views of temporary expediency, but upon the broad and eternal basis of **RIGHT**. We wish Law to become the mere echo of Conscience. We wish that no man should ever hereafter be privileged to do unto others that which he would not have others do unto him, or exact from others that which he would not have others exact from him. And this is all.

However unpalatable the truth may be to our national vanity, it is not the less true that America is not yet a republic. Here, as elsewhere, Man is the slave of Money. "Law rules the poor, and Money rules the Law." Lombard street and its precincts in London govern Wall street, and Wall street governs our legislative lobbies. The patronage of the salesmen of British goods, of those who retail the wealth extorted from the British laborer, is of more importance to our printers and lawyers than all the patronage which can be bestowed on them by all our farmers, mechanics, and laborers; consequently the *bar* and the *press* are greatly under the malign influence of the robbers of the British people; and they cannot side with the American laborer without hazarding their bread. The Church, once the invincible asserter of the rights of man, does not now save us from usury and oppression. Hence the necessity of the step we would urge upon all the friends of honest industry among our fellow-citizens.

From what we have already said, fellow-citizens, you will readily see why, instead of approaching any minor authority, we address ourselves at once to the supreme power of the people—a power having an unconditional right to modify and amend any law or constitution, at any time, in any mode they may deem expedient. We cannot afford to waste our time in empty formalities, or in untying lawyers' quibbles, while our families are famishing around us. If the right to frame or amend a constitution ever existed, it must exist now; if it was ever possessed by the people, they must possess it still. It is our solemn conviction that nothing less than a wise, just, and speedy exercise of this right can save us from a career of anarchy. It is idle for us to wait for the action of those state authorities who have no sympathy for the people, or to expect relief from the hand that is only extended to scourge us. The present condition of the laboring class shows more strongly than words how much we have to hope from their Judas-like friendship. We would do those men who are in the habit of granting charters and privileges to monopolists in the name of the people no injustice. We leave it to God to judge them; but we must also leave it to God's antithesis to trust them.



In conclusion, fellow-citizens, let us again entreat you to do immediately what is now no less a work of necessity than of duty. Let your representation in the proposed Convention be complete; let it be composed of honest men; let such reforms as JUSTICE shall dictate be submitted to the decision of the whole people; and then let us determine by our votes whether the laborer of this once free land shall be suffered to maintain the dignity of a man, or be forced to wear out his existence in base subserviency to the drone, and end it by the slow tortures of hunger.

At the close of the Address, and after the cheers of the meeting had subsided, Mr. Henry E. Riell read the following

### RESOLUTIONS.

Whereas, "the greatest good of the greatest number for the longest time," is the true end of all good government; and whereas "the blessings of government, like the dews of heaven, should descend equally upon the poor and the rich;" and whereas a disordered currency (inseparable from the present system of banking or the issue of "paper money") is one of the greatest of political evils, as it undermines the virtues necessary for the support of the social system, wars against industry and economy, and fosters the evil spirit of speculation and extravagance; and whereas few evils to which our people are subject can equal those inflicted on the mass of the community by a fraudulent currency, as our own brief history as a nation fully proves; and whereas, in all the revulsions inseparable from a paper currency, the classes whose labor produces all the real wealth of the country are by far the greatest sufferers, as when the currency expands, the loaf contracts,—and when the currency contracts, the laborer is thrown out of employment and the loaf disappears; and whereas thousands of the useful classes are now deprived of their bread by the explosion of the "Safety Fund" system of this state, and the universal bankruptcy of the banks; and whereas, as mutual protection being the first principle, and mutual happiness the end of the social compact, laws to be just should be equal in their operation on all classes of the community: Therefore,

*Resolved*, That we hold the present banking system to be a system at war with the first principles of the social compact, destructive of the best interests of society, treason against the constitution, and productive of more crime and misery than all other causes combined.

*Resolved*, That the incorporation of a National Bank, or of any other bank, or set of banks, is not the proper remedy for the evils of the present paper money system.

*Resolved*, That we approve of the conduct of the President of the United States in his adhesion to the law requiring payments of the revenue in specie, and that we will support him in his pledged and uncompromising hostility to paper money as a circulating medium.

*Resolved*, That we consider all connection between Bank and State to be not only unconstitutional, but anti-republican; and that we recommend to the administration to adopt all proper means within their power to dissolve that connection.

*Resolved*, That we consider the late Bank Suspension act to be not only a palpable violation of those clauses of the United States Constitution forbidding the passage of ex post facto laws and of laws impairing the obligations of contracts, but a fraud on the honest part of the community for the benefit of the dishonest, and that we look upon all those legislators who voted for it, as well as the Governor who signed it, as guilty of a violation of their oath to support the Constitution of the United States.

*Resolved*, That a copy of the proceedings of this meeting be transmitted to the Governor, with the request that he will immediately convene the Legislature to repeal an act equally subversive of the best interests of the State and of the Constitution.

*Resolved*, That a STATE CONVENTION be held in the city of Utica, on the second Monday of September next, to consist of a number of delegates not to exceed double the number of members of the House of Assembly.

\* \* All communications relating to the proposed Convention may be addressed to '*F. Byrdsall, 100 Grand-st., New-York,*' who is Chairman of our Committee of Correspondence."

In all the ward meetings of the Equal Rights party, the policy of the President of the United States, in relation to the banks and the specie circular, was unanimously approved, while the course of the State Legislature and Executive was unanimously condemned, in relation to the Suspension Law.

During the months of April, May and June, a county convention had been holding its sessions for the purpose of altering or amending the constitution of organization. Early in July, the convention presented to the consideration of the General County Meeting, the result of its labors. The alterations and amendments were so unimportant, that it is only necessary to remark here that they were adopted.

On the 18th of July, the committee appointed to correspond with *F. A. Tallmadge*, in relation to his course respecting the specie circular and Bank Suspension Law, reported progress. Mr. Tallmadge had signed the declaration of Principles, the fourth article of which says, "Unqualified and uncompromising hostility to bank notes and paper money, because gold and silver is the only constitutional currency."

To this article he never expressed any objection when

he signed the Declaration. It was also well known, that the Loco-Focos were unanimously in favor of specie being paid for the public lands.

The following preamble and resolutions were offered by Capt. *John Bogert*, and with the single exception of one negative vote, they were adopted.

“Whereas, *Frederick A. Tallmadge*, now a representative of the city and county of New-York in the Senate of this State, was the candidate of the Equal Rights party, and pledged to support their principles in relation to the Constitutional Currency :

And whereas, the said *Frederick A. Tallmadge*, by introducing and advocating the preamble and resolutions in favor of rescinding the Specie Circular, as well as by voting in favor of the Bank Suspension Law, has violated the Declaration of principles signed by him, and the solemn promise given by him to us, his constituents. Therefore—

*Resolved*, That we pronounce him false to his political engagements, recreant to the true interests of the people, and unworthy the confidence of honorable men.

*Resolved*, That a committee of five persons be appointed to furnish him with a copy of the above proceedings, and request him to resign his seat in the Senate of this State.”

The committee chosen pursuant to these resolutions, reported at a subsequent meeting, that they had waited personally on Mr. Tallmadge with the resolutions of censure passed against him. That he had promised a formal answer, but that none was yet received.

It does not appear by any record, written document, or tradition of the Equal Rights party, that he ever performed even this promise of a formal answer to the party. But he must be spared, for the sacred robe of justice is around him, and its sword and balance are in his hands ; at all events, the office which he holds is honorable.

The chairman of the corresponding committee respecting the State Convention to be holden at Utica, on the second Monday in September, wrote to the central committee appointed by the former Convention, and received satisfactory answers. He also corresponded with several individuals, and among other letters, he received the following one from Samuel Young. It was enthusiastically applauded. The reader will find it worthy of perusal.

“Ballston, 8th August, 1837.

“DEAR SIR—I received a few days since yours of the 1st inst., in which you state that you have been solicited, by several individuals, to ask for my co-operation in the proposed State Convention to be held at Utica, in September next, in pursuance of the recommendation of a large public meeting in the city of New-York in June last. I have no objection to express my opinion freely on the topics proposed to be discussed by the Convention.

“Indeed, my opinions on the subject of irredeemable paper promises, on monopolies in general, and on the exclusive and pernicious system of banking in this State, have been publicly expressed; and so far from changing or modifying these opinions, the events of the last six months have, to my mind, afforded ‘confirmation strong as proofs from holy writ.’ Every public meeting, every deliberative assembly of the people, either aggregately or by delegates, to discuss these topics in a firm and temperate manner, to exhibit the system of exclusion in its unmitigated deformity, and to portray the value and justice of equal laws, is calculated to have a beneficial effect upon the community. And in the hope that the Convention at Utica will be thus conducted, I fully approve of its convocation.

“It ought not to be expected that a divorce between Bank and State, whose meretricious connection for so many years has given birth to a numerous and noisy progeny, can be effected without a protracted struggle. The contest of the few, aided by their wealth, influence, and presses, against the many, would be hopeless in any other country than this: and its result here at present, is at least problematical.

“The bank disease has been slowly and insidiously creeping upon the body politic for many years, like a chronic malady upon the human frame. The patient requires gentle and careful treatment, and should not be alarmed and exhausted by violent prescriptions and doses. Alterative remedies are the best.

“There is always a portion of the community who are startled at the idea of any material change in existing laws or institutions. The mass of the Tories of the Revolution doubtless honestly felt this alarm, and therefore adhered to the old system of injustice and oppression. Many of the self-styled Whigs of the present day have the same feeling on the monopoly question. Aided by the ‘monopoly democrats,’ (if words so antagonistic may be placed in juxtaposition), the Bank party in this State is truly formidable. They have not only a fund of wealth, but also a large surplus of contumelious epithets, which they discount with great liberality. Their opponents are agitators, radicals, Loco-Focos, &c.; and these, to weak nerves, are startling words.

“Two years ago ‘the banking system’ of this State was lauded as the *sumnum bonum* of human invention; and six or seven millions was added to its capital. Last winter the note was varied, and ‘the safety fund system’ was the object of eulogy. And when, about a month before the explosion, I confidently predicted the catastrophe, I was regarded with superstitious horror as the hardened perpetrator



of bank blasphemy. Since the explosion the note has been again changed, and it is now 'the credit system.' Thus, the minim first dwindled to a crotchet, and is now only a quaver.

"According to Locke, men may use such terms or signs to convey their ideas as they please; but they are bound to give clear definitions of these signs. I have long looked and listened in vain for some definite explanation of 'credit system.' Credit is the offspring of the individual confidence which man reposes in his fellow-man. It results from the security which one individual feels in the integrity and ability of another. Like love, joy, hope, faith, confidence, &c., it is an emotion of the heart which was bestowed upon man for beneficial purposes, and can be well regulated only by individual impulse and direction. Legislation cannot create, but may mar and destroy it. If Government should institute monopolies to make discounts of love and matrimony, these commodities would soon become as spurious and as much below par as the bills of the broken banks. The late explosion of the banking system is an eminent example of the extent to which the misdirected framers of human government in the creation of monied monopolies may paralyze and extinguish individual credit and confidence.

"The principle of free competition which was implanted in man by his maker, is the only sure and safe regulator of all the business purposes and pecuniary transactions of human society. But the Redheifiers of legislation have pronounced the great Architect to be a bungler, and have essayed to better the movements of the machinery, by applying to the community the strait jacket of restraining and usury laws, and the complex tourniquet of the 'safety fund' and 'credit system.' Demoralisation, oppression, taxation, fraud, perjury, and failure, ever have been, and ever will be the result, until mankind shall acquire sufficient strength and confidence in themselves to tear off these shackles.

"It has been asserted that to 'the credit system' this country is indebted for the progress of improvement and the increase of wealth. I have never seen any attempt to prove the correctness of this bold assertion. God ordained that man should procure his bread by the sweat of his brow. And since this decree went forth, not one item in the vast catalogue of physical objects which enter into the definition of wealth, and which are calculated to gratify human wants and desires, was ever produced except by labor. Productive labor is the sole author of wealth and of every physical improvement, either in the solitary or social condition of man.

"Pecuniary capital, in the hands of industry and enterprise, is an efficient coadjutor in the production of wealth; and so is the hammer, the plow, and the steam-engine. To the extent that credit produces a more equal and useful distribution of capital, it is beneficial to society, and no farther. Its general utility is circumscribed within these limits. But the eulogists of 'the credit system' do not condescend to bestow any notice whatever upon capital.

"A very correct idea of the wealth-creating framers of a 'credit system' was conveyed by the father of two sons, who boasted that his boys possessed a wonderful fact for trading and getting rich; and he

offered to bet that if locked in a room together for a single day, they would make five dollars a piece by swapping jackets. The notes of each other for five dollars, and the nett gain of this process after balancing the account, afford a fine illustration of the credit system.

"Seduced by the multiplication of bank paper promises, a considerable portion of the community for the last two or three years has been earnestly occupied in swapping jackets. Many in a short time grew very wealthy; but unfortunately for 'the credit system,' most of the rich men of 1836, early in the spring of 1837, awoke, like Dives, in torment.

"If the mischief had fallen only on the harpies of speculation, there would have been no cause of sympathy or complaint; but the visitation of the effects of bad laws falls like a general curse upon the whole community. Although the denunciations against gold and silver as a 'humbug' are not quite so vociferous as they were before the explosion, yet in spite of recent experience, the swap-jacket, or 'credit system' party is active and numerous.

"Every one knows that gold and silver are the only standard of value, by the universal consent of mankind; and that they are procured by individuals and nations in exact proportion to the application of productive labor and of economy. But the disciples of 'the credit system' roundly affirm that there is not in the world enough of the precious metals for the use of mankind. The established bushel is not large enough! According to their theory, God has committed a mistake in not creating a sufficient quantity of gold and silver: and they modestly propose to rectify his error, by substituting the treacherous promises of bank monopolies, lately denominated 'the credit system.'

"In every age individuals have been found who were intent on eating the bread, and appropriating the wealth which had been acquired by the sweat of others; and in every age they have succeeded in their object, sometimes by violence, and often by fraud and cunning. I will not assume or suppose that the great mass of the advocates of 'the credit system' are influenced by such motives; but if the system is not calculated to tax the many for the benefit of the few, then I have misconceived its operation.

"Very respectfully, yours, &c.

S. YOUNG."

## CHAPTER XII.

Recapitulatory Remarks on the position of the General and State Administrations—Monopoly Conspiracy against the President, developed by a Letter to N. P. Tallmadge—Political Dilemma—Message of the Special Session—Strictures on the Inconsistencies of the Monopolists towards “New-York’s favorite son”—The Locofocos sustain his course—Demonstrations—State Convention at Utica of the Equal Rights Party—New Constitution for the State—Extracts—Address to the People—Remarks.

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“The ground we take, is, the utter separation of Bank and State, and the absolute emancipation of trade.” LEGGETT.

THE events of the summer of 1837 produced a crisis of fearful danger to the union of the Democratic Republican party. The suspension of specie payments, followed by the act of the Legislature of the State of New-York legalizing the suspension, indicated plainly, that the banks and state governments were one in unity of financial and political action. On the other hand, the course of the administration of the general government, in maintaining the specie circular, and refusing the notes of the suspended banks in payment of the national revenue, placed the Democratic government of the State, and the Democratic administration of the United States, in the attitude of contrariety to each other. A conflict of interests and sentiments ensued, which agitated the party, and threw it into indescribable confusion.

At length a movement was made by certain monopoly Democrats, which could only have proceeded from a pre-concerted conspiracy against the President. The object of this sinister movement, was to commit a large portion of the Republican party so decidedly in favor of the banking system of the State, that if it did not deter the National Executive from the course he had indicated, it would place all those who were lured into the movement, in such a position with regard to the President,

that they could not recede without in some way dishonoring themselves. To this end, a letter was framed in the style of a manifesto in defence of the "credit system," addressed to *N. P. Tallmadge*, Senator of the United States, from the State of New-York. The signers of this declaration, (who were formerly much opposed to pledges), now pledge themselves "to sustain the well regulated credit system." Their manifesto in its entire absolutism declared, "we are in favor of the credit system, and opposed to the chimerical scheme of an exclusive metallic currency." In its mandatory terms it dictated, "Preserve and regulate, but not destroy." And in order to invoke the Democracy, it proclaimed, that "the credit system was the distinguishing feature between despotism and liberty."

The letter is subjoined with the names of the most politically known signers to it.

*"To the Honorable Nathaniel P. Tallmadge, Senator U. S. :*

*NEW-YORK, July 4th, 1837.*

SIR—We, the undersigned members of the Democratic Republican party in the city of New-York, have seen, with pride and pleasure, your letter to the Editor of the Albany Argus of 6th June last.

We consider it due to you, and more especially to our beloved country, that we should express our entire approbation of the sentiments so laudably put forth in your letter. Your words are, 'I am in favor of a well-regulated credit system, and opposed to the chimerical scheme of an exclusive metallic currency,'—'Preserve and regulate, but not destroy,'—'The credit system is the distinguishing feature between despotism and liberty.'

In these high and patriotic views we heartily concur, and assure you that we believe them to be the sentiments of a great majority of the Republican party; and we cordially tender you our unanimous support, in the proper efforts to sustain and establish these principles in the Legislature of this great and enterprising nation.

Accept the assurances of our high consideration and respect.

J. Hammond,  
Henry Wyckoff,  
Thos. Jeremiah,  
M. M. Quackenboss,  
James B. Douglass,  
Joseph Meeks,  
Robert Smith,  
Ichabod Prall,

John J. Cisco,  
J. L. Graham,  
E. G. Stacy,  
Gideon Lee,  
George D. Strong,  
H. W. Bonnell,  
Edward Sandford,  
E. W. Nicholls,

C. C. Jacobus,  
J. V. Greenfield,  
Reuben Withers,  
Daniel Jackson,  
A. B. Vanderpoel,  
James Ferris,  
Thos. S. Brady,  
John Pettigrew,



John W. Degraw,  
Garrit Gilbert,  
Jesse West,  
Samuel Swartwout,  
Charles H. Hall,  
C. S. Delavan,  
Henry Erben,  
J. D. Stevenson,  
Lawrence Akerman,  
Enoch Dean,  
Benjamin Ringgold,  
Peter Pinckney,  
Thos. G. Talmage,  
Henry Keyser,  
William H. Bunn,  
D. M. Cowdry,  
Jonas Conklin,  
Willis Phillips,  
Alfred Colville,

Daniel McGrath,  
M. L. Smith,  
J. D. Beers,  
Andrew Jackson,  
Abm. Le Foy,  
Richard Riker,  
P. M. Wetmore,  
Cors. N. Bryson,  
J. B. Schmelzel,  
O. M. Lowndes,  
Benjamin Byrdsall,  
John Foot,  
Hector Craig,  
Preserved Fish,  
John R. Peters,  
Jas. N. Tuttle,  
R. C. Townsend,  
Burr Wakeman,  
Andrew Lockwood,  
Charles Dusenbury."

Chas. O'Connor,  
Alfred A. Smith,  
John Kurtz,  
George Paulding,  
Henry Storms,  
James C. Stoneall,  
Ezra S. Conner,  
William Kelly,  
Chas. Del Vecchio,  
Jas. R. Whiting,  
J. I. Bedient,  
Thos. N. Carr,  
J. I. Earl,  
D. Vandervoort,  
H. W. Hicks,  
James L. Graham,  
William Wyckoff,  
Farnham Ball,  
J. H. Cornell,

To this belligerent missive, there were nearly seven hundred names, including a majority of the Old Men's General Committee, (over two thirds), and seventy odd Democrats, directors in banks, insurance and railroad companies. This political letter, with its great array of names of "old tried Democrats," was a sore perplexity to many of the rank and file, or main body of the Republican party. They had been in the habit of voting the regular nominations in favor of "Banks to supply the business wants of the community," and New-York's favorite son also; but now, to be obliged to separate the one from the other, was like tearing half their hearts from them. Most of them had derived their political, in the same way that they had their religious bias, from their early associations in life, and were willing to go all lengths for both, without knowing much of the peculiar principles of either.

But, when the message of the President to the special session of Congress made its appearance, hostilities commenced within the Party. The "ninety-seven banks of the state" entered the political arena and exercised their influences. Their partizans denounced the Independent

Treasury plan, as a union of the purse and the sword, and such was the fatuity which prevailed, that millions of people could not, or did not, see that in the financial connection which had existed between the treasury department and the banks, there was a union of the purse and the sword, more powerful, pervading, and dangerous to liberty than the plan for receiving and disbursing the revenue proposed by the President. But, after all, the outcry of the purse and the sword was only raised for popular effect; for the men that raised it, had far more regard for self-interest, speculations, and stocks, than they had for abstract principles of right, or democratic liberty. Even the champions of the "great measure of Mr. Van Buren's administration," endeavored to show that it would be advantageous to bank and mercantile interests. Such was the deference paid to the incorporated sovereignty of banks.

The amount of depredations in various ways committed by the banks of the United States upon the people, far exceed what any invading army could have perpetrated, so far as property is considered only. But they were sovereign and could do no wrong: the law-making power always sanctioned their absolute will. The "old tried dimmycrats loved them with all their faults," and were ready to abandon New-York's favorite son, "our own little *Matty Van Buren*." They would not see that it was the suspension which compelled him to take the course which he did. They cried aloud, "Preserve and regulate, but don't destroy!" The banks had afforded every facility to speculators, and forestallers of the necessities of life, but "the credit system is the distinguishing feature between despotism and liberty." When their notes got at fourteen per cent below the constitutional standard, such a discount on the revenue was not to be borne, but the "old-fashioned dimmycrats" were in favor of "the well-regulated credit system."

The President, consistently with the "unqualified uncompromising hostility to a national bank," avowed by

himself and the Republican party, had no other alternative but that which the suspension of specie payments forced upon him, the necessity of conducting the financial department of the government, without any connection with banking institutions. Yet some of those who forced this alternative upon him, accused him of an ungrateful return for their political patronage of him in "early days of little promise." They expected that he would subserve their interests rather than the people's. The banks became adverse to him without just cause, for he never was opposed to them. But recently, in 1836, in his letter to *Sherrod Williams*, he had said that he "would not only protect the banks in the privileges which had been granted to them, but he would also extend to them the good will of the community." Even in 1841, in a letter which he wrote in reply to Governor *Reynolds* and the legislature of Missouri, he bestowed high commendations on that state for having "a mixed currency, composed of a well-balanced and harmonious co-operation of the standard of value and its paper representative." It has been said, that incorporated bodies have no souls; but we add, as much more true, that the war of the banks against *Mr. Van Buren* conclusively shows that they had no consciences.

The message of the September session, was at once approved by the Equal Rights Party. It appears by their recorded proceedings that a special county meeting was called, Sept. 7th, at which "spirited resolutions approbatory of the late message of President *Van Buren*—were offered by F. Byrdsall, which were enthusiastically received and applauded." Alexander Ming, Jr., also offered resolutions, from which the following is selected:

"Resolved, That the Message delivered by *Martin Van Buren*, to the present 25th Congress of the United States, for its able and convincing arguments, and for its cogent, equitable, and constitutional objections to a National Bank, and for its clear, just, and practicable recommendation of dispensing with State Banks as fiscal agents, and the adoption of a governmental system of finance, predicated exclusively on the constitutional currency—gold and silver—awakens the

admiration, and deserves the applause of every friend of Equal Rights, and will elicit the approbation of the whole genuine Democracy of the Union."

The prompt approbation of the separation of bank and state given by the Equal Rights Party, comprising over four thousand voters, was of some importance at this juncture. It was soon followed by the approval of the Young Men's General Committee, at a meeting of that body in a few days afterwards; and a public meeting was determined on, to take place in Tammany Hall on the 21st September. The meeting was held, and the Loco-Foco spirit which prevailed at it, for it was a Loco-Foco maxim to "go wherever their principles went," had a very natural effect on the rank and file of the Tammany Democracy, who are more apt to receive than to originate onward impulses. The Old Men's General Committee could not stop the popular current thus set in motion, but they tried to divert its course by denouncing the call of the Young Men's General Committee as being contrary to the "time-honored usages."

In the mean time, the State Convention of the Equal Rights Party took place at Utica on the 11th September, the appointed time; but owing to the neglect of duty on the part of the Central Committee of Correspondence, appointed by the former Convention, in *not* forwarding notices to the Committees of Correspondence, of the several counties, and in consequence of a statement appearing in the Utica Democrat designating a later day for the meeting of the Convention, for what purpose is best known to those who had it inserted, together with the excitements growing out of the suspension, the message, and special session of Congress, most of the counties were unrepresented. *Robert Townsend, Jr.*, was elected President; *David Canfield* and *Harry Bushnell*, Vice-Presidents; and *William Hale* and *Daniel A. Robertson*, Secretaries.

The Convention sat three days, and was closely occupied forenoons, afternoons, and evenings. To point out



all the reforms demanded by equality of rights was an arduous undertaking, requiring much time and research; it was therefore deemed more consistent with the instructions to the delegates from the city of New-York, and more essential to a thorough reform of government, to frame a new constitution for the state, to govern its legislation, and to show forth all the principles for which the Equal Rights Party contended. Accordingly, "a draft of a proposed constitution, submitted to the people of the State of New-York by a convention of friends of constitutional reform," was put forth by the Convention. To the reader is presented extracts from this constitution, containing all the Loco-Focoism in that document, and by the perusal of which he can make himself acquainted with the ultimate objects of the original Loco-Foco Party. In its definition of right as relates to human conduct, it declares the fundamental principle of Christian Democracy, that "Right, as relates to actions, is that principle of equality which teaches man to do to others as he would that others should do to him." And Loco-Focoism is, that "those acts are naturally, politically, and morally, right, which may be done by all, without injury to any."

## PROPOSED CONSTITUTION.

### ARTICLE I.—*Natural Rights.*

§ 1. WE, the People of the State of New-York, in order to mutually secure to each other the peaceful enjoyment of our natural rights, and the equal participation of the advantages of society, do hereby establish the following Constitution, as our social compact and system of government.

§ 2. All men are created equally free, and are equally entitled to the exercise of their natural rights. On entering into society, man gives up none of those rights; he only adopts certain modes of securing the peaceful enjoyment of them.

Man's natural rights of person are, his right to exist, and to enjoy his existence; and the right to exercise those physical and mental faculties with which nature has endowed him. Man's natural rights in relation to things are, his right to the things produced by the exercise of his personal endowments, and his right to participate in those bounties which nature has equally given to all. Right, as relates to action, is that principle of equality which teaches man to do to others

as he would that others should do to him. Those acts are naturally, politically, and morally right, which may be done by all without injury to any.

### ARTICLE II.—*Government.*

§ 1. Government is but an agent to exercise such powers as are expressly delegated to it by the people.

§ 2. The government of this state shall consist of three distinct departments, namely, the Legislative, Judicial, and Executive; the members of which departments shall be directly elected by the people.

§ 3. All elections shall be by ballot, each citizen of twenty-one years of age or upwards, who shall be an actual resident of the place where he may offer his vote, having equal suffrage. General elections shall be held on the first Tuesday in the November of each year, and those persons having a majority shall be considered duly elected.

### ARTICLE III.—*Legislative Department.*

§ 1. The legislative or law-making power shall be exercised by two branches of delegates, a Senate and House of Assembly.

§ 2. The Legislature shall from time to time divide the state into as many congressional districts as it sends members to congress; each of which shall, besides electing one representative to congress, also elect one member to the Senate of the state. It shall also subdivide each congressional district into four Assembly Districts, each of which shall elect one delegate to the House of Assembly.

§ 5. The Legislature shall pass only general and equal laws, declaring the duties and reciprocities of the community and its members to each other respectively; protecting individuals in the enjoyment of their natural rights of person and of property, prohibiting aggressions on them, and specifying the redress for all aggressions and the mode of obtaining it.

§ 6. The Legislature shall not charter or create any corporate or artificial body, nor confer on any individual or company either exclusive advantages or special privileges.

§ 7. The Legislature shall not borrow money or contract loans in the name of the people; but it may submit bills authorizing public loans to the people, which bills shall become binding when ratified by a majority of the voters at a general election.

§ 8. The Legislature in session has power to alter, amend, or repeal any act, law, or proceeding of any former session.

§ 9. Neither the Legislature nor either branch of it shall ever exercise judicial or executive powers, except over its own members while in session.

### ARTICLE IV.—*Judicial Department.*

§ 1. Each Congressional District of this state shall elect one Judge, at a general election. Each Judge so chosen shall hold office for four years, and be eligible to re-election.

§ 2. This state shall be divided into eight Judicial Circuits by the Legislature. The Judges of each Circuit shall, by mutual arrangement, preside in turn in the several District Courts of their Circuit, and, as nearly as practicable, in regular rotation.

§ 3. The District Courts wherein these Judges preside, shall have criminal and civil jurisdiction in all cases, either in law or equity; and shall also be courts of appeal from the decisions of the courts of justice of the peace. They shall have power, except in criminal cases, to examine the parties to any suit, when required by either of the parties. The times and places of their sitting shall be regulated by law.

§ 4. It shall be the duty of the aforesaid Judges to assemble on the first Tuesday of December in each year, in the city of Utica, and on the first Tuesday of June in each year, in the city of New-York, to constitute a high Court of appeal, which shall hold its session in each place until the docket of cases is gone through.

§ 5. When thus assembled, they shall elect, by ballot, from the Judges present, a President of the Court of Appeals, to preside in said court.—Juries of twelve men each shall then be drawn from the Judges present. These juries shall sit by alternation, or as cases may require, in the jury box, hear cases, retire, and bring in their verdicts, in like manner as other juries.

§ 6. This Court of Appeals shall have jurisdiction in all civil and criminal cases of appeal, either in law or equity. It shall also try all cases of impeachment of any public officer for mal-practice in office, when impeached by the Executive or either branch of the Legislature.

§ 7. This court shall have power to examine the parties to any civil suit, and to send for and examine witnesses when there is any ambiguity in the minutes of evidence from the court below. It shall have power to order, admit, or reject evidence by commission or affidavit. Its decisions shall be final in all cases; but no party shall be debarred from petitioning the legislature for relief.

§ 8. No court of law or justice shall hereafter practise judicial legislation, by adopting or admitting the laws, precedents, decisions, or legal authorities of other nations or states into the jurisprudence or courts of this state. When our own laws provide no special act or provision for a case, the jury shall determine according to the principles of natural right and justice.

§ 9. In all criminal cases, a verdict must be unanimous; but in all civil cases, a verdict signed by two-thirds of the jury shall be valid.

§ 10. When a jury shall agree on a verdict against the accused in any criminal prosecution, it shall also specify the measure of punishment. In civil cases, it shall also determine the amount of its verdict; but in all cases where the jury cannot agree on the measure of punishment, or on the amount to be awarded, the Judge shall decide the matter.

Of the judiciary system above described, Judge *Ham-*

*mond* says in substance, in his history of the political parties of this State, that although it may render him liable to the charge of heresy, yet he confesses it to be superior to the existing system. The reader will see it has the merit of preserving trial by jury in the Court of Appeals, fulfilling thereby the provision of the constitution of the United States, which enjoins trial by jury in all criminal cases, and in all civil suits above the sum of twenty dollars.

The Executive department laid down by this constitution, is not inserted here, neither is the article in relation to public or civil officers. A great portion of the 7th article is extracted.

#### ARTICLE VII.—*Rights and Prohibitions.*

§ 1. Every profession, business, or trade, not hurtful to the community, shall be equally open to the pursuit of every member of the community, without charter, license, impediment, or prohibition. No exclusive privilege or monopoly shall be granted.

§ 2. No exemption laws shall be passed or remain in force, exempting any person, class, order, kind, or description of persons or property, from any public duty, tax, or burden, to which the rest of the community is subject.

§ 4. The right of personal liberty is sacred; and no man shall be arrested or imprisoned except for crime, or when there is strong probability of his criminality supported by affidavit. Prisoners, except for murder, shall be bailable without delay; and in the event of being strangers, or in circumstances of poverty, so that they cannot procure bail, they shall have the right to demand immediate trial or liberation, and to be immediately tried or liberated. In all criminal prosecutions, the accused hath the right to be informed of the accusation against him, to have a copy of the indictment or charge in due time to prepare for his defence; to be allowed counsel; to be confronted with the witnesses against him; to have compulsory process for witnesses in his behalf; to examine witnesses for and against him; to a speedy trial by an impartial jury, without whose unanimous consent he shall be deemed innocent; and no man, in any criminal case, shall be compelled to give evidence against himself.

§ 6. There shall be no capital punishment; but in all convictions for murder or unjustifiable homicide, the sentence shall be banishment or imprisonment at hard labor for life; the nett profits of said labor to be given to the dependants and relations of the person murdered, or to the poor, as the jury shall direct.

§ 7. All felonies shall be punished with confinement at hard labor; the term imprisonment and labor, as to the greatest and least amount



for the different kinds of offences, to be specified by the legislature. But restitution shall be made to the parties injured, from the property or the proceeds of the labor of the convict; the precise amount of punishment and restitution to be fixed by the jury.

§ 8. The time or labor of convicts shall not be bargained to contractors, or to any person whatsoever. All articles manufactured in the prisons of this state, over and above the consumption of the convicts, and over and above the purposes of restitution, shall be appropriated to the use of the poor in such manner as the legislature shall direct.

§ 9. Embezzlement of property by carriers, or persons taking goods on freightage, and all breaches of trust by persons receiving money or property for safe keeping and restoration to the owner, his agent, or assignee, shall be indictable as frauds, and all frauds shall be punishable as felonies.

§ 10. No law shall be valid for the forcible collection of debts arising from voluntary agreement between individuals, wherein one party relinquishes his right to and possession of any species of property on the promise by the other party of another thing or equivalent. [This section shall apply only to debts contracted after the adoption of this constitution.]

The reader will perceive that the foregoing constitution restricts the Legislative power, and guards the Equal Rights of the citizen, in any pursuit of business he may be desirous of following, not hurtful to the community. And if he properly views the late Bankruptcy act of the United States, he will infinitely prefer the Loco-Foco proposition of the repeal of all laws for the collection of debts, arising in future.

The Convention appointed a committee to draft an address to the people of the State. From this address, the following selections are presented to the reader.

#### TO THE PEOPLE OF THE STATE OF NEW-YORK.

##### FELLOW CITIZENS:

You constitute the sovereign power of the state. You are responsible—responsible before God and man—for the just exercise of that power. And if you permit it to be employed in outraging the rights of any portion of your fellow men, and in reducing thousands of industrious citizens, a vast portion of whom are defenceless women and children, to the condition of paupers and slaves, no individual among you can exonerate himself from the guilt, nor (if God be just) from its just punishment.

There never was a time when human law was so perfect that there was no room for improvement, or so just and upright that there was

no public wrong to reform. The time has now arrived when reform is not merely desirable, but indispensable to our very existence; and we therefore hope that those who, in imitation of the Tory Lords of England, style themselves "conservatives," and shout "*let well alone*," will not induce you to let *ILL* alone any longer.

There are a multitude of political and social abuses in our state, which cry aloud to you for reform, and to heaven for judgment—abuses which not only compel vast numbers of our fellow men to shorten their lives by excessive toil, but which destroy the virtues of the people, and render human life a mere swinish scramble to escape starvation.

At present, although we may live under the *cloak* of republicanism, we are in reality subjected to the worst of all tyrannies—an aristocracy of wealth. Our actual government, our real regulator of social rights and social intercourse, is *money*—the greater heaps ruling the less. This indeed has generally been the essence of all governments, whatever might be their outward form. One of the best and ablest of Christian statesmen (Lord Chancellor Sir THOMAS MORE) declares, that all the governments he had either seen or known were little else than a conspiracy of greedy men, first, to monopolise all the common gifts of God to man; and then, to get the labor of those whom they had thus wickedly made destitute and dependent at as low rates as possible, and oppress them as much as they please. Such was the nature of the soul-debasing tyranny from which our ancestors sought a refuge in this western wilderness, and which, owing to the influence of vicious training and dishonest habits, was allowed to take root here. For however great may be the extent of our *theoretical* freedom, the *practical* doctrine of our government has been, that every poor man's child surrenders, at his birth, all the rights it derives from nature and nature's God into the hands of the government, or of persons privileged by government to enjoy or sell them. Here, as in other aristocracies of wealth, man is made to derive his rights, not from the free bounty of his Creator, but from the formal scrawls of scribes and office holders; the mass of the people not being permitted by law to plant a seed or fruit tree even in the wilderness for their own sustenance, and are enabled to obtain food and shelter only by selling their personal endowments, for longer or shorter terms of service, to the highest bidder. For a long time after the formation of our state government, it was so completely an aristocracy of wealth that none but the possessors of a given amount of wealth (having at least the *power* to derive gain from the industry or necessities of the poor) were allowed any voice in its enactments; while the honest laborer who had been made landless by law, or houseless by oppression, was required to hazard his heart's blood in defence of the hand that deliberately stripped him of his natural rights and destroyed his social equality.

It should be borne in mind, however, that the original organizers of our state government, exhausted by a tedious war against British usurpation, did not profess to have framed such a system as they wished to see finally established; and that they merely constructed a

temporary shelter out of the least odious parts of the system they had warred against, leaving it to their descendants, when enlightened by study and refreshed by peace, to establish a social edifice based entirely on the immediate principles of equality and justice. Then, also, as now, the advocates of social reform were greatly retarded by those swinish spirits who had been used to look on other men's poverty as their opportunity; who knew no other good than gain, no other God than Mammon; who prided themselves upon the spoils of honest industry, and regarded property as the test of merit.

The great object of a constitution is, to prevent the officers of government from assuming powers incompatible with the natural rights of man; and it is certain that our present constitution does not accomplish this paramount design. If the powers of public agents under it are distinctly limited and clearly defined, why should their political principles be a matter of such solicitude at elections? If the constitution contains a plain guarantee of the rights of the people, whence the necessity of pledging legislators not to violate those rights? The plain truth is, that constitutions in these United States have been constructed in the spirit of compromise—of compromise between the advocates of Democracy and the friends of aristocracy—compromise between the principles of right and wrong.

It is time—the disastrous results of aristocratic legislation prove that it is high time—that our state constitution should define the powers and duties of legislators; and, above all other instruments, it should afford the clearest pledge, the safest guarantee of the rights of the people against legislative usurpation—against the creation of those vested wrongs, monopolies—and against the fostering of a system of artificial credit, calculated to sap all public and private morals, not only placing the advantages of credit within reach of the dishonest, but enabling hordes of promise-printers and speculators to engross all the provisions and goods produced by the industry of the people, and then deal them out at prices limited only by the fear of popular vengeance.

Fellow citizens, it is for you to reflect on these important subjects. The framers of the subjoined constitution have already done so, and they have recurred to first principles—to the principles of our revolutionary fathers—in framing a constitution to protect the equal rights of the citizens, and to maintain the sovereignty of the people. It is very probable that it may be the subject of virulent attack, of tortuous construction, or feigned contempt, on the part of those who fawn on injustice for a share of the plunder, because it does not emanate from those classes which have heretofore swayed our destinies. No leading politicians, no lawyers or professional gentlemen of any kind, have been consulted or employed in constructing it. It is the work of working men—of unambitious, humble men—who have long been compelled to feel most bitterly the cruel oppressions of the system founded and upheld by the aristocracy of wealth and its mental prostitutes, and whose only object is the advancement of moral, social and political right.

With these sacred objects in view, the proposed constitution herewith published, is respectfully submitted to the consideration of the

people, in the hope that it may receive their careful scrutiny, and eventually be submitted by them to the revision of a larger and abler convention. If it should be the means of exciting examination and discussion, and of eventually producing that desirable and certainly attainable good to mankind, a perfect democratic constitution, the object of the framers of this draft will be fully accomplished.

By order of the Convention,

ROBERT TOWNSEND, Jr., *Pres.*

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## CHAPTER XIII.

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Preparations for the November Election of 1837—Nominations made—Pledge signed by the Candidates—The Nominations adopted and the Party pledges itself to sustain its Candidates—Committee appointed to address Mr. Curtis for violating his Pledge—Five Loco-Foco Candidates nominated at Tammany Hall—Committee of Conference of Union of the Democracy—Candidates of the Equal Rights Party called on to resign, but most of them refuse—A Dilemma—C. H. Dougherty and Henry E. Riell's Resolution to desert the Equal Rights Candidates adopted—The Pledge makers become Pledge breakers—The Edward Curtis investigation—Rump Loco-Focos and Buffaloe Loco-Focos—The Address of the former—Fidelity—Decay and Fall of the Military and Civic Hotel—Conclusion.

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Honor's a sacred tie  
The noble mind's distinguishing perfection.—CATO.

In one of the British Islands, there is a long bay of several miles in width, which is much frequented by sea birds. It is said that the fox in that part of the world envelopes his head in a coiffure of sea foam, which he finds along the shore, and thus disguised he swims out into the bay to get amongst the sea birds, in order to prey upon them; but that sometimes a sudden burst of wind or water deprives him of his head-dress, and exposes Mr. Reynard to the great surprise and disturbance of the feathered community.

In like manner, a number of political foxes of like views, had long mingled themselves with the Democratic



party, and preyed upon it for very many years, but at length the President's message of the Special Session discomposed the disguises of these foxy democrats, and exposed them in their true nature of selfishness to the world at large. But they had become so strong, by having perverted, with the spoils of monopoly, many men who were, in early years, true Jeffersonian Democrats, that they were now able to form a part of what Mr. Leggett called the triangular contest. They held on, however, to the assumed coiffure they had found so useful in by-gone years, for this party of privilege, this aristocracy of the Democracy, styled themselves "unchanged democrats," "Conservative Democratic Republicans."

In the Old Men's General Committee of 1837, there was a majority of these unchanged monopoly Democrats. This majority had refused to co-operate with the Young Men's General Committee, in its call for a public meeting on the twenty-first of September, to approve the President's Message; but on the contrary it called a meeting of those opposed to the message to take place at Tammany Hall on the 25th September. This latter call was sustained by the signatures of about six hundred of these unchanged Republicans; nevertheless it proved a total failure, for the friends of the message were so numerous at the meeting, that the resolutions against the message were negatived, and others of different tenor subsequently adopted.

In this intestine broil between the two General Committees within the Republican Party, the Loco-Focos very naturally took sides with the adherents of the Young Men's Committee, and they were welcome allies to the latter, so much so, that a union began to be talked of. But many members of the Equal Rights Party were very suspicious of the political honesty of Tammany, and particularly so long as they saw that the "Old hunkers," as the old fashioned unchanged Democrats were nick-named, had any power there. As late as September the 19th the Loco-Focos at a public meeting, passed a "Resolu-

tion against a communication which had appeared in the Evening Post over the signature of "A Member of the Equal Rights Party," recommending such a union of the Democratic family.

While these circumstances were in progress, the Equal Rights Party were not unmindful of the approaching election. They had published the names put in nomination for candidates, and at meetings for the purpose, their ticket was nearly completed, by the end of the month of September. The following were the candidates.

*For Assembly.*

Robert Townsend, jr.,	Levi D. Slamm,
Daniel Gorham,	Job Haskell,
Charles Dingley,	John H. Hunt,
Josephus N. Crain,	Daniel C. Pentz,
Warden Hayward,	John W. Brown,
John Wilder,	Hugh Collins,
	James L. Stratton.

*For Sheriff.*

" *County Clerk.*

" *Coroner.*

George W. Matsell,

Alexander Ming, jr.,

A. D. Wilson.

The following pledge for these candidates to sign, was agreed upon by a special meeting on 22d September.

PLEDGE.

We, the above named Candidates of the Equal Rights Party, of the city and County of New York, do hereby mutually pledge ourselves, that, if elected, we will, to the best of our ability, advocate and vote for all measures in accordance with the Declaration of Rights of the Equal Rights Party.

2. We will endeavor by our influence and votes to procure the repeal, immediately, of the Suspension and Mortgage Acts.

3. The Repeal of the Restraining Act.

4. To oppose the State Prison Monopoly.

5. To second every Constitutional effort of the Government of the United States to restore a Specie Currency to the people.

6. To procure a more extended, equal and convenient system of Common School Instruction.

7. We do, also, agree to oppose the passage of any act by the Legislature, which will encroach upon the Natural and Constitutional Rights of the people.

8. To procure the passage of a Law allowing a fair compensation to Jurors and Witnesses.

The ticket was on the 2d of October fully made up by the nomination of Stephen Hasbrouck for the State Senate, and all the candidates signed the pledge, as appears by the proceedings of the 12th October.

The proceedings further state, that "after much discussion on the practicability of forming a union ticket with the anti-monopolists of Tammany Hall, and uniting with them at the ensuing election, the Report and further action on the ratification of our ticket were deferred, until Thursday night, October 19th." When this latter meeting took place, the following resolution was offered by *Charles Fox*, and "unanimously adopted."

*Resolved*—That the organization and principles of the Whig, as well as those of the Tammany Party, are inconsistent with the genius of our Democratic institutions, and they, therefore, cannot receive the support of the Equal Rights Party.

After which the proceedings go on to state, that "the State and County Tickets, as completed, were then taken up and confirmed amidst enthusiastic cheers."

The following Preamble and Resolution, offered by *Josephus N. Crain*, were also unanimously adopted:—

Whereas, we, the Equal Rights Party of the city and county of New York, are informed by the public prints that our representative in Congress, *Edward Curtis*, voted against the resolution of *Mr. Cambreleng*, declaring it inexpedient to charter a national bank, and also against the sub-treasury bill, or bill to divorce bank and state.

*Resolved*—That a committee of five be appointed to write to the said *Edward Curtis*, in reference to the same, and to request that he will, at his earliest convenience, inform this party through the said committee as to the correctness of the above-mentioned information, and if correct, with such explanations as he may think due to the Equal Rights Party and his own honor.

*John A. Riell*, *Charles Fox*, *Michael Dougherty*, *John Bogert*, and *Thomas S. Day*, were appointed the Committee.

Thus far, the Equal Rights party had proceeded regu-

larly, as regarded its nominations and preparations for the fall election. The County and State Tickets were, according to the constitution of organization, filled up; the candidates had signed the pledges required of them; and the party ratified and confirmed, "with enthusiastic cheers," its pledge, in return, to the candidates.

But a change came over the spirit of the "enthusiastic cheers" of a large portion of the party, in a short time afterwards; for a proposition was presented, at a General Meeting on the 24th October, to effect the united support of the Democratic family in favor of one ticket. The beginning of the end of the Equal Rights party, was introduced in the most specious form imaginable.

The Loco-Focos were much attached to their democratic organization. Therefore a proposition to dissolve the party would have been negatived at once; and, in all probability, the same decision would have befallen a proposition for a permanent union with the democracy at Tammany Hall, without an alteration of the "known usages." But it was manifest that the party, in its opposition to monopolies, was anxious to sustain the President in the warfare of the Banks against him; and it was upon this sentiment that some men, for reasons best known to themselves, went to work to dissolve the party. Every reforming party has found its most dangerous enemies within its own ranks.

*Mr. Daniel A. Robertson* opened the business by offering a long and popularly worded preamble, closing with the following harmless-looking Resolution:—

*Resolved*—That, in order to effect a cordial co-operation of the Democracy, a committee of five be appointed to confer with the other portion of the Democratic Party, and to *suggest* to them the propriety of requesting their candidates to subscribe to the Declaration of Rights.

By the adoption of this Resolution, the party pronounced its own death doom.

Messrs. *Daniel A. Robertson*, *Henry E. Riell*, *Joseph Rose, Jun.*, *Michael Dougherty*, and *Thomas S. Day*, were appointed the Committee of Conference.



This Committee of limited powers,—merely “to suggest,” &c.,—assumed to itself plenipotentiary functions. They met a committee appointed by the Nominating Committee at Tammany Hall, and matters of difference were adjusted to the entire satisfaction of the Committee of the Loco-Foco party. It was a fortunate circumstance, perhaps, that in any sacrifices agreed upon by the latter Committee and their coadjutors, expediency did not require any sacrifice of self. At all events no such sacrifice was made.

The nominating committee at Tammany Hall nominated five of the candidates of the Equal Rights party, *James L. Stratton, John H. Hunt, Robert Townsend, Jr., Levi D. Slamm, and Wm. E. Skidmore*, for the House of Assembly. This was doing much towards reconciliation, and the Committee of Conference did the rest. It had got specific power to “suggest” the propriety of the candidates at Tammany Hall signing the Declaration of Rights, but it determined not to do business by limitation. To unite in support of one set of candidates was not enough, there must be a permanent union. Accordingly, it presented a long Report to its constituents on the 27th October, setting forth:—

“1. That the branch of the party at Tammany Hall had given evidence of their disposition to unite with us in sustaining the administration.

“2. They have made a ticket composed of men politically and morally satisfactory.

“3. They have adopted a Declaration of Rights, essentially the same as our own.

“4. The individuals nominated have given unqualified assurance, by their own signatures, of their implicit belief in the doctrines held and the measures we advocate.

“5. Principle and patriotism demand that we should meet them in a like spirit of conciliation.

“6. The forms of our organization should not prevent us from pursuing the path best devised to carry out our principles; the revival of the old landmarks of democracy, or the full success of the people in contending against a common enemy.

“7. In union there is strength: to produce union a mutual concession of personal feeling must be made—which concession sustains our principles, will elect our ticket, defeat our enemies, and strengthen the confidence of the people in the administration of the General Government.

"8. Contending, as we have been, to revive the land-marks and principles of the original Democratic party, and to effect constitutional reform in legislation, we conceive, at this important crisis, those measures are best advanced by UNION of the whole Democratic party.

"Your committee, after mature deliberation, and conscious that it will be beneficial towards the best interests of our common cause, the cause of justice, and the rights of man, respectfully recommend our candidates who have not been responded to at Tammany Hall, to withdraw their names from our ticket, and that we use our undivided exertions to support the ticket named by them as it now stands. We are fully of opinion that in this manner we can conquer our common enemy, and that our course will be approved by all those who wish success to Democratic principles."

This Report was received and adopted, and *Alexander Ming* immediately resigned as the candidate for the office of Register, and *Josephus N. Crain* as a candidate on the Assembly ticket.

*Doctor Hasbrouck* also resigned the nomination he had received for State Senator, and *Chas. G. Ferris*, who had been nominated at Tammany Hall, was adopted in his stead.

The meeting adjourned to the 28th October, having appointed a committee to request the Equal Rights candidates, *not* nominated at Tammany Hall, to resign. But there were no resignations to report, either on the 28th or at another meeting on the 31st. *Job Haskell* sent a letter stating that he would not resign for a less vote than had given him the nomination. His letter made some excitement, and caused several motions respecting it, but it was referred back to the committee. The portion for union was now in an awkward dilemma. The stubborn candidates would not resign, and the party was pledged to support them. What a position was this for the Committee of Conference to find themselves in, with regard to propositions made, and prospects in view? Desperate cases require desperate deeds. A resolution was offered by C. H. Dougherty, to insist on resignation "*forthwith*," but this would not do,—"*If the eye offends you, pluck it out.*" This latter was the only course for the Committee of Conference, and its pleni-

potentiary arrangements demanded this. Its chairman, *Henry E. Riell* amended Mr. C. H. Dougherty by consent —“That we the Equal Rights party have the fullest confidence in the ticket jointly nominated by the nominating committee at Tammany Hall, and by the Equal Rights Party, and that we as a party, adopt it as our ticket, and will use our best exertions to procure its entire election.” This was carried by a vote of 71 against 22.

Here were seventy-one Loco-Focos, advocates of pledges and strict construction, who had repeatedly affirmed and re-affirmed that the resolution passed at the Utica convention, “to remain a separate and distinct party from all existing parties and factions in this State, until all the people realize that Equality of Rights which we are now permitted only to contemplate in the distance with hope.” Who had pledged their candidates to their measures, and pledged themselves to their candidates “with enthusiastic cheers.” Yet these pledge-makers become the most violent and shameless of pledge breakers. What were the influences which had come over them!

While these circumstances were in progress, many of the Loco-Focos refrained from attending the meetings, where contention and violence prevailed. The most ultra of the Equal Rights Party, were not averse to a union with the rest of the Democracy, but to place themselves under the dominion of the aristocratic “usages of the party,” was what they were much opposed to. Besides, the Democracy at Tammany, had not, as stated by the committee of conference, “adopted a declaration of Rights essentially the same as our own.” It did not set forth the principle quoted from Thomas Jefferson, “that the idea is quite unfounded that on entering society we give up any natural right.” It did not declare, “Hostility to the dangerous and unconstitutional creation of vested rights, or prerogatives by legislation, because they are usurpations of the people’s sovereign rights.” It did not avow that “We hold that each and every law or act

of incorporation, passed by preceding legislatures, can be rightfully altered or repealed by their successors; and that they should be altered or repealed, when necessary for the public good, or when required by a majority of the people." Neither did it declare "unqualified hostility to bank notes and paper money as a circulating medium."

Besides, the Declaration of Principles, "essentially the same as our own," was only adopted by the nominating committee at Tammany Hall, and not by either of the general committees. Incomplete as it was, there was no adoption of it as yet by the Republican Party, and therefore no general acknowledgment or permanent guarantee. Many of the Loco-Focos from past experience did not like to trust "Old Tammany," and they resisted a union until better assured. Hence the Equal Rights Party became divided within itself; the majority for union, called the opposing minority Rumps, and the latter called the majority Buffaloes. The conflict was criminative and re-criminative, between these adverse sections. Even the use of the venerable room in the old Military and Civic Hotel, became a matter of rivalry and strife. Alas! who could have foreseen that while two bodies of men were competing with each other for the use of the cradle of Loco-Focoism, that in a few weeks neither would care about it!

The following notice appeared in the Evening Post, 28th October.

#### LOCO-FOCOS ATTEND!

The members of the Equal Rights Party, in favor of sustaining the principles of their constitution and opposed to a union with the Tammany Party, are requested to attend a meeting on Monday evening, at half past seven o'clock, at Military and Civic Hotel, corner Bowery and Broome Streets.

DAVID LEVERICK,  
WM. L. BOYCE,  
I. M. DENNIS,

JOHN BOGERT,  
EGBERT L. MANNING,  
ROBERT HOGGIN,

JOHN WINDT.

The awful schism between the Buffaloes and Rumps, was remarkable for its virulence and violence. Dr. Ste-



phen Hasbrouck endeavored to mediate in every extreme that either faction would go, but with little effect, for it is easier to compromise principle than enmity. The Rumps charged the Buffaloes with having views to office more than principle. The Buffaloes accused the Rumps with being bribed by the Whigs, to oppose the union of the Democracy, and they therefore conspired to slay the prominent Rump Loco-Focos, particularly *John Windt* and *F. Byrdsall*. But their malice aforethought only contemplated political death, and this they were determined to effect, because they conceived it indispensable to the objects they had in view. The Evening Post misled by Buffalo misrepresentations, charged Windt with being a recipient of Whig patronage, a share of the public printing, (which was utterly untrue), and cautioned the Democracy respecting him. *Windt* replied, and that paper at once retracted its erroneous charges. *Byrdsall* had hitherto been very lucky. The public press, while it spared none of his political associates, had not noticed him, although he was the officer of the party to call its meetings, and although he spoke more frequently at those meetings than any other man. But his turn came at last, that he must be killed, and the Rumps were not permitted to interpose in his behalf; however strong in the mental, the Buffaloes had the advantage in the physical, and the only hindrance to the deed of death, was how could it be done?

Politicians can find expedients for every emergency. In this case, it was expedient that the committee appointed to correspond with *Mr. Curtis* in relation to his votes in Congress, should do the deed of malice aforethought. But with all the committee could do, it dared not attempt more than a half death, to strike in the subjunctive mood. It brought in a report against *Mr. Curtis*, in which by insinuations it labored to excite suspicions of the moral and political integrity of the Recording Secretary. Two of the committee did not sign it, two of those who did were members of the committee of conference, working

for the union of the Loco-Foco and Tammany Parties ; and the third, the chairman of the committee, was brother to the chairman of the committee of conference. The report is not drawn up in the hand writing of any of the five members composing the committee, nor did the Recording Secretary ever know any part of its contents, until after he began to write this history.

The whole of the report follows, omitting only the introductory paragraph.

“ That on the 20th of October last past, the committee proceeded to perform the duty assigned them, by addressing a letter with the preamble and resolution therein contained, to *Edward Curtis*, which elicited from him the following reply :

‘ *New York, October 24, 1837.*

‘ GENTLEMEN—I have had the honor to receive your letter of the 20th of October inst., communicating a copy of a resolution of the Equal Rights Party, adopted on the 19th inst. In reply to your inquiry concerning my votes on the resolution from the Committee of Ways and Means of the House of Representatives, declaring it to be inexpedient to charter a National Bank, and upon the Sub-Treasury Bill, I have to inform you that my name is truly recorded as having voted in the negative upon a motion to lay the resolution upon the table, and again in the negative when the question was directly upon the passage of that resolution.

‘ My vote upon the Sub-Treasury Bill was in the affirmative upon a motion to lay the subject upon the table. But little time was allowed for the discussion of that bill, and had I been compelled to vote directly upon its merits, I should have voted in the negative. I am not aware, gentlemen, that in these votes I have departed from any opinions supposed to have been entertained by me at the time of my election as a member of Congress.

‘ In the ‘ Declaration of Principles ’ of the anti-monopoly party, as the party was denominated prior to the 15th Sept., 1836, there were clauses to which I had no objections, other clauses from which I totally dissented, and others which were objectionable or not, according to the construction put upon them ; and these last clauses were variously construed by different members of the party. I avowed my willingness\* to subscribe to the ‘ Declaration of Principles ’ in the hands of your Recording Secretary, provided he would at the same

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\* This willingness was never avowed to the Recording Secretary by Mr. Curtis before he signed the Declaration of Principles. But Dr. A. F. Vache informed the Recording Secretary that Mr. Curtis was willing to sign it, and that he had some remarks or commentaries to make on the Declaration in writing. An appointment was then made for Mr.

time receive a written communication under my hand, explaining at large the sense in which I agreed to those political doctrines, and containing the limitations and exceptions with which my assent was to be received, and would communicate that written statement to the County Convention of the party, and whenever and wherever my name might be considered, at any meeting of the party, as a candidate.

‘Accordingly, such a statement in writing, in the form of a letter, dated the — day of September, 1836, was delivered by me to the Recording Secretary, at the moment I subscribed to the Declaration of Principles, and was received by him to be communicated to the party as a qualification of my assent. The Secretary did communicate the same to the party, in County Convention, and there read the same in open meeting, and at the same meeting which, after at first objecting to, and again reading and discussing the letter, proceeded, by a small majority, as I was informed at the time, to agree upon my nomination. I beg leave, gentlemen, to refer you to that letter, in the hands of your Secretary, and I ask that it may be published as a part of this correspondence, if anything on this subject be published. It is twice repeated in that letter, that it is to be taken as expressive of the sense in which I had adopted the several sections of the ‘Declaration of Principles,’ and the extent to which I assented to them.

‘A copy of the same letter was communicated to the members of the Whig Nominating Committee, and its contents publicly stated in that committee, before my nomination by that body. I read the letter publicly when spoken to on the subject, at the offices of the Courier & Enquirer, the Evening Star, and other places. The Evening Star and the Courier & Enquirer both repelled in their columns, (I think on the 23d Oct.), the charge which had been made by the New-York Times, that I had pledged myself to all the doctrines of the anti-monopoly party, and they characterized my letter as one to which no Whig ought to object. To counteract a rumor which had gone to the Whig Committee, that I had given unqualified adhesion to the ‘Declaration of Principles,’ several prominent members of the Anti-Monopoly Party attended at the Broadway House, during the session of the Whig Committee, and there assured several of the members of that committee of the truth of the case, and that I was not considered as having given any other than the qualified assent contained in my letter, and according to the views and opinions therein set forth.

‘You will remember, gentlemen, that I was unknown in politics, except as a member of the Whig Party—that I was identified with

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Curtis to meet the Recording Secretary at John Windt’s office, in Frankfort street, to sign the Declaration. After he signed, he put the paper in the hands of the Recording Secretary, who, when he read it, found it different from what he had reason to expect, and he made objections to it. Mr. Curtis requested that it should be read to the Party if his name ever came up for nomination; and this the Recording Secretary promised to do, and did as a duty which he owed to the Equal Rights Party.



that party in all their points of difference with the Jackson Party—that I had twice been elected to the Common Council by the Whigs, and had just come out of a sharp and protracted contest in the Board of Assistant Aldermen, as the Whig candidate for the Presidency of that Board. On the 23d Sept., 1836, and while my nomination was pending before the Anti-Monopoly Party, I presided at the general meeting of the Whig Young Men of this city, whose proceedings, under my name, were published in all the Whig papers of the city. In my reply to the letter of the Committee of the Equal Rights Party, who informed me of my nomination, and requested my assent to a certain paper called a ‘Bill of Rights,’ I waived any answer to that request, and referred to a former occasion, in which I had made known my sentiments, and assented to the Declaration of Principles. Upon the whole, gentlemen, I think it idle to disguise the impression I have always had, that it was in hostility to Tammany Hall, the common enemy of the Equal Rights Party and the Whig Party, that was to be found the motive which governed that portion of the former party which gave me its votes. I refer again to my letter. I have seen no reason to change the opinions there expressed, and I deeply regret if, in communicating these opinions, any of my constituents have been misled.

‘I am, gentlemen, with perfect respect, your fellow-citizen,

‘EDWARD CURTIS.

‘To Messrs. John A. Riell, Michael Dougherty, John Bogert, Thos. S. Day, and Charles Fox, Esqrs. *Committee.*’

“It appears, by the foregoing letter, that the said Edward Curtis refers to a written communication and statement in the form of a letter, dated — day of September, 1836, and which was delivered by him to *F. Byrdsall, Esq.*, the then Recording Secretary, at the moment he subscribed the Declaration of Principles, and which was by the then Recording Secretary to be communicated to the party, as a qualification of his assent. Although diligent search was made for the letter above referred to, it could not be found among the papers of the present Recording Secretary, and as he was of opinion that such letter was never delivered over to him with the other papers, it appeared to your committee that it might have been possibly retained in the possession of the late Recording Secretary. Your committee, through their chairman, then waited upon the late Recording Secretary, and received from him the letter or copy of the original letter above referred to, by the said *Edward Curtis*, which copy is attested to be correct by communications received by your committee, from *Dr. Alexander F. Vaché* and *F. Byrdsall*, by letters dated the 27th October, 1837, which communications satisfy your committee that such letter as above referred to, by the said *Edward Curtis*, was received from him, as in his letter of the 27th of October last past is stated. Your committee considered it to be a part of their duty to take a copy of said letter, although they were, and are, unwilling to receive it as a letter properly belonging to the Equal Rights Party, which for reasons hereafter made known, appear to them perfectly



consistent, plain, and satisfactory, but have deemed it their duty to view said letter as a mere individual communication, addressed by the said *Edward Curtis* to the late Recording Secretary, with which this party have nothing to do, no further than as it is necessary to show the duplicity and traffic (if such it be), as practised upon the party for the purpose of procuring the nomination of the said *Edward Curtis*, as a candidate of the party to the Congress of the United States,\* and which your committee are of opinion should appear in this report, in order to develope all the facts of the case, that the party may be fairly enabled to ascertain the whole truth, and judge correctly of all the evidence which has been received,—(see letter, chap. 6, page 121), which letter, in the opinion of your committee, is very evasive and altogether unsatisfactory, as it does not meet, or even pretend to answer, the principal axioms contained in the Declaration of Principles, which as solid truths it should have done, and which the said *Edward Curtis* as in duty bound ought to have done, and your committee believe that, if report be true, it was very properly rejected at a public meeting of the party, as unfit to be received as a public document. The committee have also considered it as one of their duties to refer back to a communication addressed by the said *Edward Curtis*, October 19, 1836, to Messrs. *Alexander F. Vaché, F. Byrdsall, R. R. Jones, John Watkins, and A. D. Wilson*, a committee who were instructed to inform him, the said *Edward Curtis*, and others, of his and their nomination as members of Congress, and to submit for his and their approval the Declaration of

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\* If the charge of “duplicity and traffic” was intended to implicate the Recording Secretary, then is it utterly false. He has never been a trafficking politician nor an office-seeker, and it is well known that this much cannot be averred of any of the three men who signed this report. No man in the Equal Rights Party was more active at meetings in “procuring the nomination of *Edward Curtis*,” and afterwards supporting him at the polls, than the chairman himself, Mr. John A. Riell.

There were indications in 1836 that the Monopoly Democracy of the city would again nominate their favorite candidate, Mr. Gideon Lee, President of the Leather Manufacturer’s Bank, and a stockholder and partizan of the Bank of the United States. Mr. Curtis was nominated because he was neither a bank director or stockholder within the knowledge of the Equal Rights Party, and because he had signed the Declaration of Principles. He was supported, because he gave the most solemn assurances to the party in his great speech at Military Hall, on 4th November, and because there was no other way of defeating the election of Gideon Lee. The attempt to do this the year before with a Democrat, Mr. C. G. Ferris, had failed.

There is nothing in this world of so much importance to the “late Recording Secretary” as his own self-respect, and he has not forfeited any, the least consideration of *that* by any act, word, or circumstance that ever took place between him and Mr. Curtis. Every gentleman will understand the full meaning of these words when he reads them.

Rights, adopted by the state convention at Utica, September 15, 1836, with the following questions, (*see the Democrat, October 19, 1836, or page 129 of this book*). From all the information obtained, and the correspondence had and received, your committee have endeavored to ascertain and expose everything doubtful and mysterious in connection with the affair delegated to them, and which seemed apparent from the correspondence they have had with the said *Edward Curtis*, to enable them to penetrate the labyrinth, and elucidate all concealed or hidden, and discover the whole truth, which in their opinion they have brought to light. The committee believe that the letter alluded to by the said *Edward Curtis*, a copy of which is contained in their report, was rejected as a public document, after being read before a public meeting of the party, as it is not to be found recorded in the minutes or proceedings, which has been diligently and faithfully searched. They are, therefore, unwilling to receive or acknowledge it as the property of the party; but as its contents have been by them duly examined, they have no hesitation in declaring it to be what it essentially and really is, viz. : in many respects, a tissue of absurdities, and on the whole, a miserably devised, though cunning, subterfuge and trick, such as could not have emanated from any man who loves justice and fair dealing in preference to insidious means and arts, which cannot corrupt the party, though it may men. It is, in the opinion of your committee, one of the most bare-faced attempts at deception ever practised upon any political party, and which none but a political cheat and deceiver could ever invent or frame, and the men who were, in the first instance, accessory in thus palming the author of such a letter upon a party whose ostensible object was constitutional reform, owe it to themselves, the party, and their own honor, to come forward and exonerate themselves from all culpability. In conclusion, your committee, upon due inquiries, have not been able to discover those members of the party, if any there ever were, to whom the said *Edward Curtis* refers in his letter as having said to a number of the Whig Nominating Committee, that the said *Edward Curtis* was not fully committed to the Equal Rights Party.

JOHN A. RIELL,  
THOMAS S. DAY,  
M. DOUGHERTY.

“*New York, November 2, 1837.*”

This prolix Report, the reader will readily perceive by its tautological verbiage, was drawn up by some small lawyer, whose digestion is probably circuitous and tedious. Two of the men who signed it knew little or nothing, personally, of the circumstances in connection with the nomination of *Edward Curtis*; and when one of the two who would not sign it, and who knew all the circumstances, attempted in public meeting to vindicate the “late Recording Secretary,” such was the animosity

of the Buffaloes towards the Rumps, that he was not suffered to proceed. The Buffalo section met in the great room of the old Military and Civic Hotel, while the Rump section met in the back part of the hotel, below. The belligerent sections were wrathfully opposed to each other; but the indignant sentiments and heroic eloquence of the leaders belong more to the Epic than to the historic.

The meeting of those opposed to uniting with the Democracy of Tammany, took place, according to the notice already inserted. Strong resolutions were passed, adverse to such union. But as those who called themselves uncontaminated Loco-Focos published an address to their fellow-citizens, covering the whole ground they stood upon, the whole of this address is presented to the reader.

#### ADDRESS.

FELLOW-CITIZENS—In soliciting your votes and support of the genuine Loco-Foco or Equal Rights ticket, we offer a few remarks to show the getting up of the spurious or half Loco-Foco, half Tammany ticket, and also to dissipate the delusion which is circulating, that the whole Equal Rights party is ensnared into the net of the Tammany Sachems.

The ticket above presented to the suffrage of the friends of Equal Rights has been nominated by ward and county meetings, in strict conformity with the constitution adopted by conventions and general meetings of the Equal Rights Party. The candidates were corresponded with by a special committee; pledges were signed by the candidates who were constitutionally adopted on mutual pledges and public compact between the party and the above named candidates.

But it was deemed right and expedient by trading politicians, such men as are a pest to every political party, to appoint a conference committee to meet a similar committee from Tammany Hall, in order to compromise, bargain and convey the rights of freemen, in violation of the constitution of the Equal Rights Party, and in bad faith towards the men duly nominated and the engagements publicly made. Will it be believed that there are persons pretending to moral and political honesty, who were enthusiastic in adopting certain men as their candidates, and afterwards equally enthusiastic in demanding the resignation of those very men, in order to substitute Tammany nominations in their stead? Yet such is the fact. The acceptance of the Tammany nomination was carried by a shameful disregard of every principle of political integrity and the plain provisions of the constitution.

Fellow-Citizens—The Equal Rights Party votes are not in the market to be sold by trading politicians. The elective franchise is inherited from revolutionary patriots, and is not at the disposal of



committees of conference. Individuals or committees may sell themselves and 'go where thrift may follow fawning,' but they have no right to make bargains or engagements that infringe the rights of others. Could any committee of conference, chosen by Tammany to meet another committee of conference appointed by some self-styled Loco Focos, make an agreement to bind the votes or to change at will the ticket of either party? Surely not. Such committees are preposterous absurdities—impudent assumptions, that no good Democrat would take part in. Why then were those committees of conference appointed, and at such late period? Because Tammany believes that the Loco Focos, as a matter course, will follow LEADERS; and therefore the votes of above four thousand freemen are at the disposal of a committee, or the four dozen wiseacres that appointed it.

The original members of the Loco Foco party, at least those who have constituted its strength and integrity and who at the same time are least publicly known, are true and steadfast to the principles, the organization, and the ticket of the party. The following few self-evident reasons show why the determination to sustain the pure Loco-Foco ticket is as judicious as it is constitutional.

1. Our party, to a man, are in favor of President Van Buren's great measure, 'the divorce of Bank and State,' and are anxious to apply the doctrines to State practice, knowing there is far greater need of reform in our State administration at this time than there ever was in the general government.

2. The nominal Democrats of the State administration, declared (through the Albany county resolutions) their intention of pursuing their old policy and fostering the 'State Institutions,' and that they had nothing in common with the new-fangled radical [Loco Foco] spirit of the day; and eulogized the wise, honest, and patriotic conduct of Gov. Marcy—by whose counsel and indefatigable personal and official exertions the Suspension Act was driven through the forms of legislation, and became a law in two days! This patriotic conduct of a pretended Democratic Governor and Legislature, will long be remembered by every poor man in this city; for in less than two weeks from the passage of that act, Flour had in consequence risen *two dollars and a half on the barrel*, while a general stagnation of business immediately ensued.

3. The different wards in the city were called together to appoint their nominating committees, as the "Friends of the State Administration." The men who sanction any atrocity, if perpetrated under the mask of Democracy, can feel but little respect for Equality of Rights, when they approve a Suspension Act which, besides its other enormities, involves the crime of perjury on those who voted for it. On the Tammany ticket, as first nominated, stood one of the very men who voted for that infamous law! He has since resigned.

4. No permanent good can be expected from the Democratic party in this city, unless a radical Democratic change takes place in its organization, through which the wishes of the people will be obeyed, instead of the present vicious system, which virtually gives to a few a despotic and irresponsible power.



5. We well know, no reformation can be expected among "the leaders," while they can command lucrative official patronage.

Without amplifying these reasons, or extending their number, we submit the case to the dispassionate judgment of our Democratic fellow-citizens, believing they cannot but feel the necessity of commencing and carrying out the great reforms advocated by the Equal Rights party, and to which their candidates are pledged.

The following Ticket was supported at the election by those who issued the foregoing address:—

*For Assembly.*

ROBERT TOWNSEND, JR., Carpenter.

JOB HASKELL, Carman.

WARDEN HAYWARD, Agent.

CHARLES DINGLEY, Music Printer.

JOHN WILDER, Ship-joiner.

HUGH COLLINS, Carpenter.

DANIEL GORHAM, Tailor.

JOHN H. HUNT, Printer.

CHARLES F. WAY, Blacksmith.

LEVI D. SLAMM, Locksmith.

JAMES L. STRATTON, Painter.

WILLIAM E. SKIDMORE, Grocer

*For Sheriff.*

JAMES LOCKLIN, Tailor.

*For County Clerk.*

THOMAS S. WALSH, JR., Grocer.

*For Coroner.*

ABRAHAM D. WILSON, Physician.

The election took place soon afterwards. Job Haskell obtained 371 votes; the other candidates not nominated at Tammany Hall, received a lesser number. But the men who supported the above ticket, honorably performed their engagements to the candidates they had nominated. The Union, or Tammany Locho-Foco Ticket, did not succeed; consequently, no advantage resulted from the reunion of the democracy, so far as the election is considered. There would have been nothing lost by acting in good faith.

But the consummation of the foregone conclusion of the Equal Rights party had yet to be accomplished, and Mr. Slamm was chosen to be the executioner of the final act, by those who conspired for the purpose. Soon after the November election, he was elected Recording Secretary; and it became his duty, under the constitution, to call the monthly and special meetings of the Equal Rights party, the more particularly as he and his associates had procured the passage of a resolution, on the 31st October, declaring all meetings not called by the Recording Secretary, unconstitutional. But there is no record that he ever called a monthly meeting of the party according to the constitution under which he was elected, for six months, and thus no meetings were held.

Gradually, the Loco-Focos of both sections became merged in the Democratic Republican party, and they brought not only their "new fangled notions" with them, but also their significant designation as a party. The glory of the Military and Civic Hotel departed with the Loco-Focos. There were no more meetings held there by those enthusiasts, and no enthusiastic cheers resounding within its walls; neither was there any more transparencies with terse mottoes and inscriptions, to adorn the venerable casements. The old mansion became deserted and cheerless; for there was only one Loco-Foco, Robert Hogbin, who made it his haunt as usual. He was the last of the political covenanters, and the only one who went there regularly, month after month, on the evenings appointed by the constitution for the meetings of the faithful; and he would bide there, solitary and alone, until ten o'clock, the hope within him that the Loco-Focos would gather themselves together in the Babylon of their captivity, in order to direct their steps back again to the renewal of their venerable temple. But they never returned. The old Military and Civic Hotel fell into decay, and at length was pulled down. Poor Hogbin saw it lying prostrate in its last ruins, and he turned away and wept.

But Loco-Focoism did not die. It lives forever in Christian Democracy,—that Democracy which, while it concedes to the majority the powers of government, does not allow to it the right to do wrong, but restrains it by constitutions drawn from the paramount laws of God, and the principles of Christianity.

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## A P P E N D I X .

*The following is the Gilpinade Ballad, mentioned page 133.*

THE ASSEMBLY'S VENGEANCE AGAINST WILFUL CONTEMPT:

### A MARVELLOUS DITTY,

TELLING HOW THE HOUSE OF ASSEMBLY WAS WICKEDLY CONTEMNED  
BY MOSES JAQUES AND LEVI D. SLAMM; AND HOW SAID CONTEM-  
NERS WERE SCOLDED AND REPRIMANDED THEREFOR.

Down to the city of New-York,  
Past houses, fields, and farms,  
Swift came that mighty officer,  
Th' Assembly's Man-at-Arms.

And when he reached the City Hall,  
He look-ed all around;—  
“I want the Sheriff, quick,” quoth he,  
“Where is he to be found?”

A Sachem of the tribes then spoke,  
The tribes of Tammany,  
“Behold, I am the Sheriff here,  
What do you want with me?”

“What do I want! oh horrible!  
Have you not heard nor dreamt?  
The House, the House at Albany  
Is treated with contempt!”

“Two Loco-Focos of this place  
Have scorned its digni-ty;  
Levi D. Slamm, and Moses Jaques,  
And they must go with me.”

“So haste, sir Sheriff, seek them out  
Ere set of evening's sun;  
For they must be in Albany  
Before three days are done.”

The Sheriff bowed to the black rod,  
And both set out straightway;  
They found and seized on Slamm and Jaques  
About the close of day.

Next morn they were upon the road,  
 Despite of snow or rain;  
 And driver, whip, and horse, and wheel,  
 Were going might and main.

And when they reached the old toll-bridge,  
 The toll-man felt alarms;  
 "What is the matter, sir?" quoth he,  
 Unto the Man-at-Arms.

"What is the matter?" "Horrible!  
 Have you not heard nor dreamt?  
 The House—the House at Albany  
 Is treated with contempt!"

On, on, they hied, o'er hill and dale;  
 And every one they passed  
 Cried out aghast, "good heavens and earth!  
 Why do you go so fast?"

"Why go so fast? Oh horrible!  
 Have you not heard nor dreamt?  
 The House, where banks and stocks are made,  
 Is treated with contempt!"

And as they galloped through the towns,  
 The dogs all barked aloud:  
 "What is the news?—what is the news?"—  
 Cried out the wondering crowd.

"What is the news! Oh horrible!—  
 Have you not heard nor dreamt?  
 The House—where rights are made and sold,  
 Is treated with contempt!"

And great is all the Members' rage,  
 And great their grief and sore;  
 I wot their streaming eyes have shed  
 A pint of tears or more.

And there will be no peace on earth,  
 Until it vengeance takes;  
 It must inflict its digni-ty  
 On these men Slamm and Jaques."

At length they reached the Capitol,  
 And there they were arraigned  
 Before the Speaker and the House,  
 Whose summons they disdained.

Busy-body Hackley felt  
 A strange "*exigency*"—  
 What legal nostrums had they bought?  
 Their lawyer, who was he?



The great Investigator rose ;  
George Patterson by name,  
Who fancied every Jemmy Kent,  
A Chancellor of fame.

"By heavens !" cried he, "these men have shown  
To my subpœna scorn,  
For which contempt unto this House,  
They'd better ne'er been born."

Then Bank-director Talmage rose,  
A man not overwise,  
Chosen for his stupidity,  
The Banks to scrutinize.

Says he, "God bless the safety league  
Of State Banks, one and all !  
These Loco-Focos, or the Banks,  
One of the two must fall.

"No constitutions can rule us,  
We are the people here ;  
As God rules all in heaven above—  
We rule on earth, 'tis clear !"

Tom Tucker rose with majesty,  
A man of awfulsense,  
An orator of mighty pith,  
Of bank-nursed eloquence.

Quoth he, "I am indignant that  
Our power should be twitted ; '  
If we make terms with guilty men,  
Our honor's compromitted !"

Up rose fop Burroughs on his legs ;  
A petty bantam noodle—  
Quoth he, "let's send them both to jail,"  
Hey, cock a doodle doodle !!

"Send them to jail," cried big Westlake,  
A 'Tater Broker small ;  
While some slunk off like Tom Herttell—  
Who nothing said at all.

The members rose in great uproar,  
And this was their command ;  
"We must annihilate these men  
With our dread reprimand."

The prisoners shrunk to nothingness,  
Which no one should surprise ;  
The members swelled with dignity  
To twice their usual size.

Contempt's dark stain upon their beaks,  
 The gobblers could not stand,  
 Wherefore their Speaker solemnly  
 Read off this

### REPRIMAND.

"Oh Moses Jaques ! Oh Moses Jaques !  
 'Tis painful and 'tis true,  
 A caucus of the Regency  
 Imposed the task I do."

"Your condemnation by this House,  
 Last night was cut and dried ;—  
 (Alas ! I'm but a puppet here,  
 With all my pomp and pride)."

[*Aside.*

"Our mandate you did treat with scorn,  
 Which touches us quite near ;  
 We're jealous of our privilege,—  
 We hold it but one year.

"You're old and educated, sir,  
 As all can plainly see ;  
 Besides, like us, you hold large stakes  
 In this communi-ty.

"Then why uphold the rights of those  
 Who own no stakes at all ?  
 You're one of us : why should you care ?  
 Let workies rise or fall !

"And as for you, Levi D. Slamm,  
 You've intellect, 'tis plain ;  
 Apply it to wise purposes,  
 Where profit you can gain.

"Subserve the views of wealthy men,  
 Like us, who have large stakes ;  
 Make interest your politics—  
 Don't be like Moses Jaques.

"Now, in obedience to the House,  
 To which I'm nothing loth,  
 I here retrieve our dignity,  
 And reprimand you both."

And thus did end this woful farce,  
 Conceived in wrath and trouble ;  
 And never on this earth before,  
 Did burst so big a bubble.

Long live our legislators all,  
 Of high or low degree ;  
 And when they next scold Slamm and Jaques,  
 May I be there to see !











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The history of the Loco-  
foco, or Equal Rights Party,  
its movements, conventions  
and proceedings

